

# 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):*

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

\* *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:**

Murray Stancich

**Email:**

**Phone number:**

**Postal address:**

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

## 6. Address for Correspondence

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

**Name/s:**

Williams & King, Attention: Natalie Watson

**Email:**

**Phone number:**

**Postal address:**

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

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

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

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

**Name/s:**

Murray John Stancich & Christine Margaret Stancich

**Property Address/  
Location:**

41 & 43 Motutara Drive

Rangiputa

Karikari Peninsula

**Postcode**

0483

## 8. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

**Postcode**

**Legal Description:**

**Val Number:**

**Certificate of title:**

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

### Site visit requirements:

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

Is there a dog on the property?  Yes  No

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

## 9. Description of the Proposal:

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

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

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

Yes  No

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

(more than one circle can be ticked):

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

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

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

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

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

- Subdividing land
- Changing the use of a piece of land
- Disturbing, removing or sampling soil
- Removing or replacing a fuel storage system

## 13. Assessment of Environmental Effects:

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

Your AEE is attached to this application  Yes

## 13. Draft Conditions:

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

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

## 14. Billing Details:

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

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

Murray & Christine Stancich

**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)

Murray John & Christine Margaret Stancich

**Signature:**

(signature of bill payer)

**Date** 06/03/2025

**MANDATORY**

## 15. Important Information:

### Note to applicant

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

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

### Fast-track application

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

### Privacy Information:

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

**Signature:**

Date

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

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

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- 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.

# Murray & Christine Stancich

Combined Subdivision & Land Use Consent  
Application for Proposed Boundary Adjustment,  
Stormwater Management,

## 41 & 43 Motutara Drive, Rangiputa

Williams & King, Kerikeri<sup>1</sup>  
10 March 2025

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

## 1.0 Overview

Murray and Christine Stancich are seeking resource consent to adjust the common boundaries of two Records of Title that they own. The subject sites are located at 41 and 43 Motutara Drive in Rangiputa. The two existing Records of Title will be adjusted to create proposed Lot 1 (544m<sup>2</sup>) and Lot 2 (963m<sup>2</sup>), each of which contains existing built development associated with residential use.

Vehicle access to each lot from Motutara Drive remains unchanged from the current situation, with each lot having an individual concrete vehicle crossing and driveway to the garage or parking area. The area being adjusted is not used for parking, manoeuvring or access, and the proposal will not generate any change to the current physical arrangements.

The subject land is zoned Coastal Residential in the Operative Far North District Plan. Existing impermeable surface coverage on Lot 2 exceeds the permitted activity standards for the Coastal Residential Zone. The activity status has been assessed as a non-complying activity overall.

Under the Proposed Far North District Plan, the sites are zoned General Residential with a Coastal Environment Overlay. There are no relevant rules with immediate legal effect under the Proposed Far North District Plan.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

## 2.0 Description of Proposal

### 2.1 Proposed Boundary Adjustment

The purpose of the proposed boundary adjustment is to rationalize the boundaries of two existing Records of Title to follow an existing fence line, and place existing built development and outdoor living areas that currently encroach over the boundary within the site with which they are associated.

To achieve this, the common boundary between the sites will shift towards the north east by approximately 2.2m and incorporate an angle in the existing fence line, resulting in the transfer of 56m<sup>2</sup> (subject to survey) into the rear site. The proposed boundary adjustment creates Lots 1 and 2 as outlined in Table 1.



Lot Number	Area (Subject to Final Survey)	Existing / Proposed Use
Lot 1	544m <sup>2</sup>	Existing residential site – residential dwelling (currently used as a bach) plus garage. Outdoor area includes covered garden, lawn and fruit trees. Connection to public sanitary sewer and stormwater systems. Inground water storage. Area is reducing by 56m <sup>2</sup> (subject to survey).
Lot 2	963m <sup>2</sup>	Residential site – existing dwelling, paved and partly covered outdoor areas, workshop, concrete driveway from Motutara Drive. Area is increasing by 56m <sup>2</sup> (subject to survey). Connection to public sanitary sewer and stormwater systems. Inground water storage.

Table 1: Summary of lot sizes and existing land use.

The Scheme Plan is attached in **Appendix 1** and copied in **Figure 1** below. All areas and dimensions are subject to final survey.



Figure 1: Scheme Plan of Proposed Boundary Adjustment.

## 2.2 Property Access

Vehicle access to each lot from Motutara Drive will remain unchanged from the existing situation, with each lot having an individual existing concrete vehicle crossing and driveway to the garage or parking area.

The area being adjusted is not used for parking, manoeuvring or access, and the proposal will not generate any change to the current physical arrangements.

## 2.3 Stormwater Management and Existing Impermeable Surfaces

Existing impermeable surface coverage on each lot is outlined in **Table 2** below. Lot 2 will be increasing in size from the existing Record of Title area, and will acquire a proportion of existing impermeable surface coverage in the form of the existing roof area and concrete drive.

Lot Number	Existing Impermeable Coverage (m <sup>2</sup> )	Lot Area (m <sup>2</sup> )	Percentage Coverage (%)
1	204.1	544.0	37.5
2	542.0	963.0	56.3

*Table 2: Summary of existing impermeable surfaces.*

Land use consent is sought for the specified coverage of impermeable surfaces on Lot 2, which represents a slight exceedance (approximately 60.5m<sup>2</sup>) of the permitted activity standard for impermeable surfaces in the Coastal Residential Zone of the Operative District Plan.

Existing stormwater management on each lot is in place. Far North Maps shows the location of a 300mm diameter FNDC stormwater culvert running west to east through Lot 1.

Roof water is collected within below-ground water storage tanks. One 25,000 litre tank is located beneath the covered deck area on Lot 1, and two water tanks are located in the northern outdoor living area on Lot 2. These both remain within the proposed lot boundaries. Overflow from the water tanks is discharged to the FNDC stormwater line described above.

There is a stormwater catchpit across the driveway of Lot 2, which collects stormwater, this is also discharged to the FNDC stormwater line. Small areas of the existing concrete vehicle crossings slope back towards the kerb and channel along Motutara Drive.

## 3.0 Application Site Details and Description

### 3.1 Location

The subject land is situated at 41 & 43 Motutara Drive, in Rangiputa. The properties are situated to the south of Motutara Drive and the north of a Far North District Council Local Purpose (Landscape Amenity) Reserve. Refer to the maps in **Figures 2** and **3**.

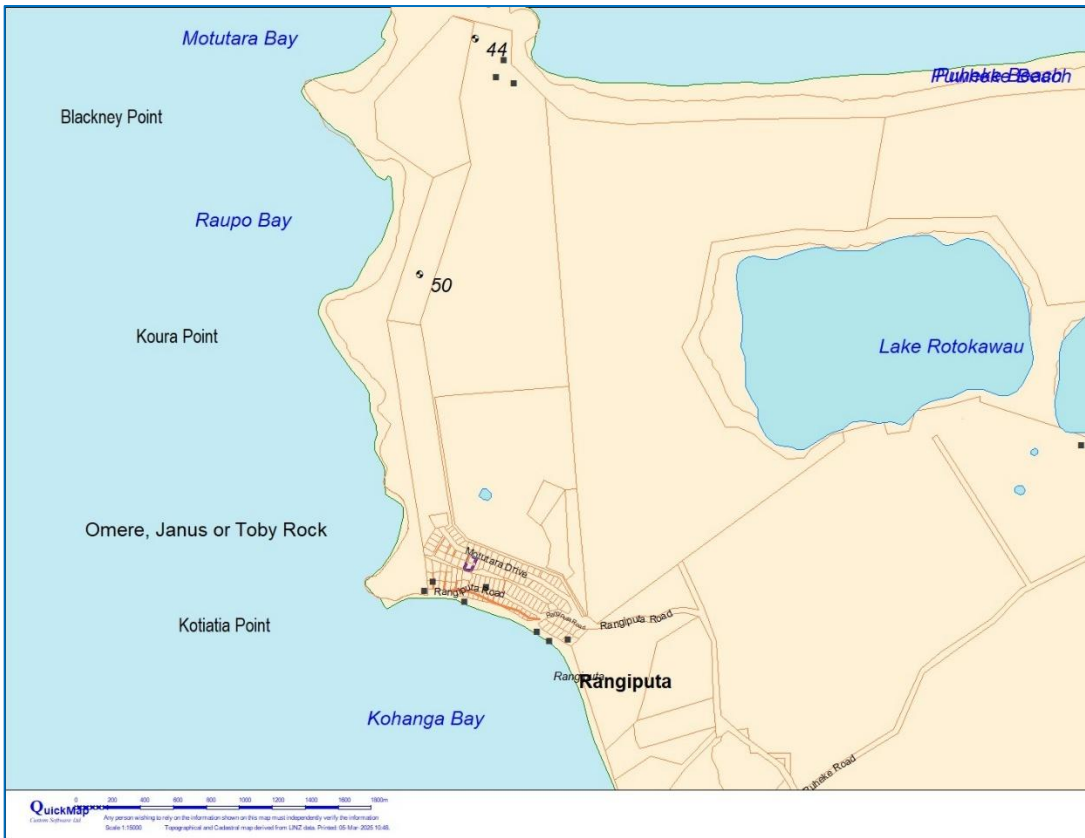


Figure 2: Location Map (Source: QuickMap)

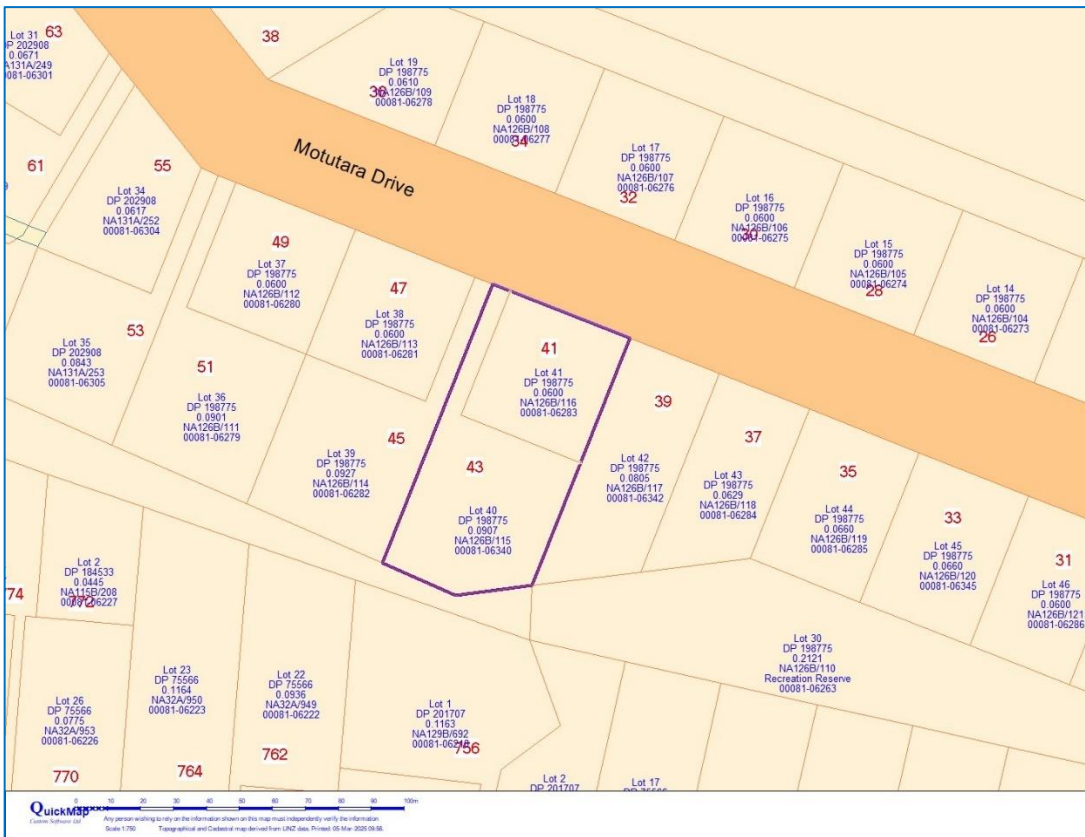


Figure 3: Cadastral Map (Source: QuickMap)

### 3.2 Legal Details

A summary of the Records of Title involved in the boundary adjustment is provided below. Records of Title are attached in **Appendix 2**.

ADDRESS	APPELLATION	RECORD OF TITLE	TITLE AREA	RELEVANT INTERESTS
41 Motutara Drive, Rangiputa	Lot 41 DP 198775	NA126B/116	600m <sup>2</sup> more or less	Appurtenant hereto are rights of way created by Transfer A169205 (redundant) Fencing Covenant in Transfer D638235.1 Land Covenant in Transfer D638235.1
43 Motutara Drive, Rangiputa	Lot 40 DP 198775	NA126B/115	907m <sup>2</sup> more or less	Appurtenant hereto are rights of way created by Transfer A169205 (redundant) D457748.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991: <u>Schedule 1</u> (i) Pursuant to Section 220(1)(c) of the RMA 1991 and in accordance with Policy 9.10 of the Transitional Far North District Council Plan, Lots 36, 39, 40 and 42-53 (inclusive) on plan No. 198775 are subject to a building line restriction of no less than 7.0 metres from the line of the top of the escarpment as shown on the annexed copy plan.

*Table 3: Legal & Address Details of Subject Records of Title*

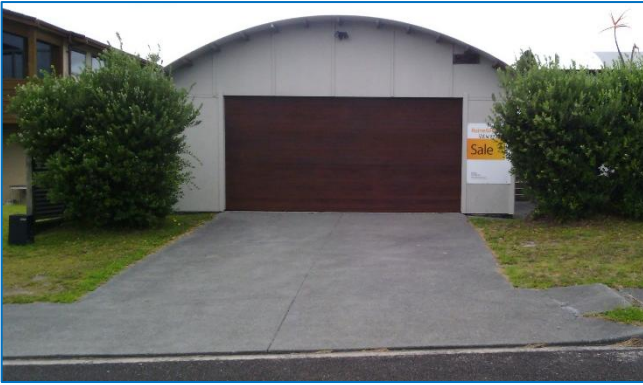
### 3.3 Site Conditions

The subject sites are residential properties, with both lots being fully developed for this purpose. Site conditions are depicted in **Photographs 1 – 6**.



*Photograph 1: Existing buildings on Lot 1. The water tank is located beneath deck.*





*Photograph 2: Existing vehicle crossing to double garage on Lot 1.*



*Photograph 3: The left hand side of the concrete driveway serves Lot 2 at the rear. The existing fence to the left of the driveway is located on an existing common boundary between the application sites, and will remain in its current location.*



*Photograph 4: The proposed adjusted boundary will follow the angled fence then straight ahead alongside the workshop.*



*Photograph 5: The outdoor living area on the northern side of Lot 2, facing the workshop / outdoor kitchen area. The existing boundary cuts through this area, and will be shifted to follow the existing fence on the right. Underground water tanks are located beneath the lawn.*



Photograph 6: The newer existing timber and corrugated iron fence will form part of the new boundary. The covered garden area on Lot 1 is visible on the opposite side of the fence .

### 3.4 Recorded Natural Features

The subject sites are part of the coastal environment but do not include any areas of high or outstanding natural character, or outstanding natural landscapes or features as recorded in the Regional Policy Statement.

The southern half of the land is mapped as part of any ecological unit O03/002 ‘Rotokawau Lakes and Puwheke Beach’ recorded in the Department of Conservation Protected Natural Area mapping for the Aupori Ecological District. See **Figure 4**. The extent of the ecological unit is seemingly outdated given the existing residential development along the southern side of Motutara Drive. In particular, proposed Lot 2 is already developed for residential use.

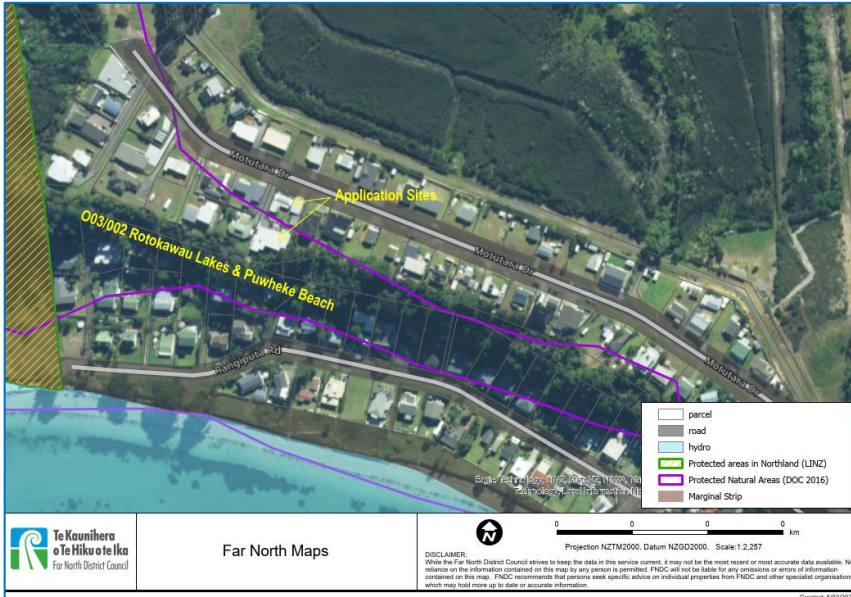


Figure 4: Reserves and protected areas map showing Ecological Unit O03/002, with application sites indicated. Source Far North Maps.

The site is not mapped as being located within a kiwi habitat in Far North Maps “Species Distribution (DoC)” Map.<sup>2</sup>

<sup>2</sup> A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.

## 4.0 District Plan Assessment

### 4.1 Far North District Operative District Plan

The application sites are zoned Coastal Residential and are not subject to any Resource Features. The proposal is assessed against the relevant rules of the Operative District Plan as follows.

#### 4.1.1 Coastal Residential Zone

Existing development on proposed Lots 1 and 2 as it relates to the proposed lots and new lot boundaries is assessed against the relevant Coastal Residential zone standards below.

Rule	Discussion	Compliance
<b>10.8.5.1 PERMITTED ACTIVITIES</b>		
10.8.5.2 Residential Intensity	One existing dwelling on each lot, no change.	Complies
10.8.5.1.5 Sunlight	<p>We have considered this rule in terms of the relationship of existing buildings with the proposed new boundary between Lots 1 and 2.</p> <p><u>Lot 1</u> The eave of the existing building area closest to the angled section of the proposed boundary is 2.67m high and located 1.7m from the proposed boundary. There is no sunlight rule infringement. The covered shade house garden area will also comply.</p> <p><u>Lot 2</u> This lot is gaining area as a result of the proposed boundary adjustment, resulting in the existing covered workshop/ outdoor entertainment area being located adjacent to the new boundary line. The building has been measured at 1.88m high, and will therefore comply with the permitted activity sunlight standard.</p>	Complies
10.8.5.1.6 Stormwater Management	Existing impermeable surface coverage on Lot 1 (37.5%) will comply with the permitted standard. On Lot 2, the coverage is 56.3%, which exceeds the allowable permitted activity standard of 50%.	Does not comply
10.8.5.1.7 Setback from Boundaries	<p>We have considered this rule in terms of the relationship of existing buildings with the proposed new boundary between Lots 1 and 2.</p> <p><u>Lot 1</u> Existing buildings are more than 1.2m from the proposed boundary with the exception of the covered garden area, which will comply with the exemption allowing no setback for a maximum total length of 10m along any one boundary (other than a road boundary).</p> <p><u>Lot 2</u> The workshop/ outdoor entertainment area and a small garden shed will be located within 1.2m of the proposed boundary, however, will comply with</p>	Complies

	the exemption allowing no setback for a maximum total length of 10m along any one boundary (other than a road boundary). No other issues arise in terms of boundary setback, as existing fences along the proposed boundaries do not exceed 2m in height.	
10.8.5.1.16 Building Coverage	No new buildings or alterations / additions to an existing building is proposed.	Not applicable.
<b>10.8.5.2 RESTRICTED DISCRETIONARY ACTIVITIES</b>		
10.8.5.2.8 Stormwater Management	Existing impermeable surface coverage on Lot 2 will not exceed 60%.	Complies

#### 4.1.2 Natural & Physical Resources

The proposal does not require earthworks or vegetation clearance. No consents are necessary as part of sections 12.2 or 12.3 for the proposal.

#### 4.1.3 Subdivision

The 'Context' section of the Subdivision chapter states that "boundary adjustments are a controlled activity throughout the District, subject to meeting specific criteria", being those listed in Rule 13.7.1.

Rule 13.7.1 (Boundary Adjustments: All Zones ....) sets out the performance standards for boundary adjustments to be carried out as a controlled activity. Compliance is assessed as follows.

Rule	Discussion	Compliance
<b>13.6 General Rules</b>		
<b>13.7 Controlled (Subdivision) Activities</b>		
13.6.5 Legal Road Frontage	Each lot retains legal frontage to Motutara Drive as per the current situation	Complies.
<b>13.7.1 Boundary Adjustments: All Zones ...</b>		
(a) there is no change in the number and location of any access to the lots involved	There is no change to existing access to either lot.	Performance standard met.
(b) there is no increase in the number of certificates of title	No additional Records of Title will be created.	Performance standard met.
(c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment	Lot 2 will comply with the controlled activity minimum lot size for a sewered site in the Coastal Residential Zone (800m <sup>2</sup> ), however Lot 1 will not (it is already less than 800m <sup>2</sup> and the degree of non-compliance is increasing as a result of the boundary adjustment).	Does not comply – performance standard not met.
(d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots	The area of the boundary adjustment is contiguous with the area of the original lots.	Performance standard met.



(e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g. building setbacks, effluent disposal)	A stormwater management infringement has been identified on Lot 2.	Does not comply – performance standard not met.
(f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites	Stormwater and wastewater discharges to Council's reticulated systems. Onsite water tanks remain within the boundaries of each lot.	Performance standard met.
Applications under this rule will not be notified but where these conditions cannot be met the application will be considered under the relevant zone rules set out in Rules 13.7.2 to 13.7.10 (should be 13.7.4).	As conditions (c) and (e) are not met, the application requires consideration under Rules 13.7.2 – 13.7.10.	Refer to assessment below
13.7.2.1 Minimum Area for Vacant New Lots and New Lots Which Already Accommodate Structures	Lot 1 does not comply with the controlled standard minimum lot size.	Does not comply
13.7.2.2 Allotment Dimensions	The dimensions of Lot 2 are increasing. Lot 1 includes an allotment dimension of 14m x 14m that does not encroach into the permitted activity setbacks for the Coastal Residential Zone (3m from the road and 1.2m from other boundaries) in accordance with controlled activity Rule 13.7.2.2.	Complies
<b>13.7.3 Controlled (Subdivision) Activities: Other Matters to be Taken into Account</b>		
13.7.3.1 Property Access	Refer to Assessment Below.	Complies
13.7.3.2 Natural and Other Hazards	No adverse effects are anticipated to be generated by the boundary adjustment with respect to natural hazards.	Complies
13.7.3.3 Water Supply	Existing on-site collection and storage of water on both lots.	Complies
13.7.3.4 Stormwater Disposal	Stormwater management on site is described in Section 2.3. Existing impermeable areas are present on both lots, on Lot 2 these will exceed the permitted standard of coverage under the Stormwater Management rule by 60.5m <sup>2</sup> .	Complies
13.7.3.5 Sanitary Sewage Disposal	Both lots are connected to Council's reticulated system.	Complies
13.7.3.6 Energy Supply	Existing supply to each lot – not affected by boundary adjustment.	Complies
13.7.3.7 Telecommunications		Complies
13.7.3.8 Easements for Any Purpose	None required.	Complies
13.7.3.9 Preservation of Heritage Resources, Vegetation, Fauna and Landscape ...	No relevant features of the subject sites, besides PNA. As both lots are existing developed residential sites, and an existing consent notice includes a building line restriction which covers existing vegetation on Lot 2 (7.0 metres from the line of the top of the escarpment, see <b>Appendix 2</b> ), it is considered that the proposal will achieve continued preservation of that area.	Complies
13.7.3.10 Access to Reserves and Waterways	Not applicable.	Not applicable
13.7.3.11 Land Use Compatibility	No issues.	Not applicable
13.7.3.12 Proximity to Airports	Not applicable.	Not applicable
<b>13.9 Discretionary (Subdivision) Activities</b>		

13.9.1 Minimum Net Area for ... Lots which Already Accommodate Structures.	Lot 1 has less than 600m <sup>2</sup> in area and does not comply with the discretionary activity standard.	Does not comply.
<b>13.11 Non-Complying (Subdivision) Activities</b>		
13.11 Non-Complying (Subdivision) Activities	The boundary adjustment does not comply with the standards for a discretionary (subdivision) activity, as Lot 1 is less than 600m <sup>2</sup> in area.	The proposal is a non-complying activity.

#### 4.1.4 Access

Rule	Discussion	Compliance
<b>15.1.6C.1 PERMITTED ACTIVITIES</b>		
15.1.6C.1.1 Private Accessway in all Zones	No shared private accessways are involved. No new vehicle crossings are required.	Complies.
15.1.6C.1.6 Vehicle Crossing Standards in Urban Zones	Existing vehicle crossings are adequate.	Complies.
15.1.6C.1.7 General Access Standards	No issues caused by proposed boundary adjustment.	Complies
15.1.6C.1.8 Frontage to Existing Roads	No issues.	Complies.

#### 4.1.5 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a non-complying activity. The relevant considerations specified in Sections 104, 104B, 104D and 106 of the Resource Management Act 1991 are addressed in Sections 5 and 6 of this Report.

## 4.2 Far North Proposed District Plan

There are no applicable rules with immediate legal effect under the Proposed District Plan.

The application sites are zoned General Residential with a Coastal Environment Overlay in the Far North Proposed District Plan.

The relevant inoperative rules are:

- SUB-R1 (Boundary Adjustment) – whereby a discretionary activity status would be attained as the infringements to Lot 1 being less than 600m<sup>2</sup> and the permitted activity zone standards will result (CON-1 & 2).
- GRZ-R2 Impermeable Surface Coverage – 35% - restricted discretionary activity as Lot 2 would not comply.
- GRZ-S2 Height in relation to boundary – complies.
- GRZ-S3 Setback – restricted discretionary activity due to proximity of building / structure to boundary.
- GRZ-S6 Outdoor living space - complies.

## 5.0 Assessment of Environmental Effects

*Section 104(1)(a) and (ab) require the consent authority, subject to Part 2 of the Act, to have regard to any actual and potential effects on the environment of allowing the activity and any measure proposed or agreed to by the 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.*

*Section 104(2) indicates that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard of the plan permits an activity with that effect and Section 104(3)(a)(ii) requires a consent authority to not, when considering an application, have regard to any effect on a person who has given written approval to the application (unless that person has withdrawn the written approval before the date of a hearing or before the application is determined, as set out in 104(4)).*

*Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. This assessment of environmental effect therefore addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as a guide as specified in Rule 13.11 (Non-Complying (Subdivision) Activities and matters listed in Stormwater Management Rule 10.8.5.2.8.*

### 5.1 Allotment Sizes and Dimensions

The boundary adjustment design is based on the existing layout of buildings and private outdoor areas. Therefore, despite the non-compliance of the proposed area of Lot 1, the lot provides sufficient area and dimensions to provide for the existing residential purpose. Servicing for this lot is existing, and it will retain its existing power, telecommunications, sanitary sewer and stormwater connections, as well as its existing onsite water storage for potable purposes.

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

The proposal will not change the physical building layout on the site, or increase the overall residential intensity. There will be no change in terms of the relationship between the existing buildings and the external boundaries of the two existing sites.

Overall, it is considered that the transfer of an area of 56m<sup>2</sup> (subject to survey) between the two subject sites will not affect the ability of the sites to remain consistent with the general subdivision pattern within this part of Rangiputa. The proposed lots remain in context with the wider existing settlement pattern and there will be no physical change to the subject land following the boundary adjustment, in order to retain the existing character of the natural and built environment. As such the direct and cumulative adverse effects on the wider environment generated by the proposal will be less than minor, and the size of the proposed lots is suitable for their existing land use activity.

### 5.2 Natural and Other Hazards

The site is not subject to any mapped hazards as shown on the Northland Regional Council 'Natural Hazard' mapping, the exception being the Yellow Tsunami Evacuation Zone. No adverse effects will arise with respect to natural and other hazards.

### 5.3 Water Supply

The property is not within the area of benefit for water reticulation, and existing water tanks collect and store rainwater for domestic and potable use on each lot. The existing water tanks will remain within their respective lot boundaries. No adverse effects with respect to water supply will arise.

## **5.4 Stormwater Disposal**

The proposal does not create additional impermeable surfaces, stormwater runoff or discharge, and has no impact on drainage to or from adjoining properties. There will be no impact on the life supporting capacity of soils and no impact on natural contour or drainage patterns of the land involved in the boundary adjustment.

Existing stormwater management on each lot is in place. Far North Maps shows the location of a 300mm diameter FNDC stormwater culvert running west to east through Lot 1.

Roof water is collected within below-ground water storage tanks. One 25,000 litre tank is located beneath the covered deck area on Lot 1, and two water tanks are located in the northern outdoor living area on Lot 2. These both remain within the proposed lot boundaries. Overflow from the water tanks is discharged to the FNDC stormwater line described above.

There is a stormwater catchpit across the driveway of Lot 2, which collects stormwater, this is also discharged to the FNDC stormwater line. Small areas of the existing concrete vehicle crossings slope back towards the kerb and channel along Motutara Drive.

With the reticulated stormwater and wastewater connections already established, the proposal does not have any implications in terms of availability of land for effluent and stormwater disposal.

The extent to which the existing impermeable areas on Lot 2 will exceed the permitted standard equates to approximately 60.5m<sup>2</sup>. This is considered to be a minor exceedance with negligible impact on total catchment impermeability, and the use of water storage tanks for potable and household supply on the property will reduce the rate of runoff.

As such, it is considered that adjustment to the existing lot boundaries as proposed will not result in adverse effects in terms of stormwater quantity and quality.

## **5.5 Sanitary Sewage Disposal**

Each existing dwelling on Lot 2 has an existing connection to the Council's reticulated sanitary sewer scheme. No additional wastewater discharge will be produced as a result of the proposed boundary adjustment. The proposal therefore avoids adverse impacts in terms of sanitary sewage disposal.

## **5.6 Energy & Telecommunications Supply**

Each lot has an existing power and telecommunication supply, which does not cross the adjusted area of land.

## **5.7 Easements for any Purpose**

No easements are required for the proposal. We note that the existing Council wastewater and stormwater assets that cross through the subject land are not protected by easement, therefore assume that they are protected via legislation. The proposal has no implications in this regard.

## **5.8 Property Access**

Property access to each lot from Motutara Drive, including existing vehicle crossings, internal access, parking and manoeuvring arrangements, remains unchanged from the current situation.

As the proposal will not generate any additional traffic, and the existing level of traffic can be accommodated by the existing property access provisions, it is considered that the proposal avoids adverse effects in this regard.

### **5.9 Earthworks and Utilities**

No earthworks or alterations to existing utility services is required to support the proposed boundary adjustment.

### **5.10 Building Locations**

Each lot contains existing buildings. Lot 2 is subject to an existing building line restriction (applied via consent notice). The area of land subject to the building line restriction is not located within the adjusted area.

### **5.11 Preservation and Enhancement of Heritage Resources, Vegetation, Fauna and Landscape**

The subject sites do not contain any known or mapped heritage resources, archaeological sites or sites of cultural significance. The sites are modified through previous land use and building activities. Earthworks are not required to complete the boundary adjustment. The standard Accidental Discovery Protocol can be applied as an advice note within the consent, outlining the procedures to be followed should any archaeological site be inadvertently uncovered, in order to avoid adverse effects on heritage resources.

As noted, the site includes part of a protected natural area that has been mapped by the Department of Conservation but is not part of a wider North Island brown kiwi habitat. The proposed boundary adjustment does not require clearance of indigenous vegetation, and direct adverse effects on flora or habitats are avoided. Likewise, the proposal does not increase residential intensity, and potential indirect effects on indigenous flora and fauna are also avoided.

The site is part of an established coastal residential area, and is not part of an outstanding landscape or area of high or outstanding natural character.

### **5.12 Soil**

The lots are existing residential sites within an established coastal residential neighbourhood. The proposal does not generate any adverse effects on terms of the life supporting capacity of soil.

### **5.13 Land Use Incompatibility**

The proposal is for a minor adjustment to the shared boundary of existing sites within the Coastal Residential Zone, and will not result in any change to the established residential use on each lot. As such, it will not result in any adverse effects in relation to land use incompatibility or reverse sensitivity.

### **5.14 Natural Character of the Coastal Environment**

There will be no change to the natural character of this area of the coastal environment, with Lots 1 and 2 remaining as coastal residential sites within an existing coastal settlement.

## 6.0 Statutory Assessment

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- National Policy Statement for Indigenous Biodiversity
- Regional Policy Statement for Northland
- Operative Far North District Plan
- Proposed Far North District Plan
- Proposed Regional Plan for Northland

### 6.1 National Environmental Standards

#### 6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment’s Hazardous Activities and Industries List.<sup>3</sup>

Review of historic aerial photography using Retrolens shows that the site has been part of undeveloped scrub land in scrub in 1944 through to the early 1970s. By the late 1970s Motutara Drive has been formed, however the site remained as a vacant site in pasture through to the 1984 historic aerial photograph.<sup>4</sup> More recent aerial and satellite images indicate that the sites were developed for residential use in the 2000’s, with both lots being fully developed by 2012.

Therefore, using Method 6(2) of the NES-CS, using the most up-to date information held by Council, the subject site is not considered to be a ‘piece of land’ in terms of the above regulations.

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

The Northland Regional Council Biodiversity Wetlands mapping shows heathland to the north east of Rangiputa’s residential area, within 100m of the subject sites. However, no earthworks, stormwater diversion or discharge are required for the proposal, which has no implications in terms of the above regulations.

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<sup>3</sup> Northland Regional Council (n.d.): *Selected Land-use Register Map*. Retrieved 5 March 2025 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

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



## 6.2 National Policy Statements

### 6.2.1 National Policy Statement for Indigenous Biodiversity (“NPSIB”)

The objective of the above policy statement is set out in 2.1, as copied below:

(1) *The objective of this National Policy Statement is:*

*(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*

*(b) to achieve this:*

*(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*

*(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*

*(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*

*(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.*

There is no SNA included in the district plan, or as identified in a policy statement of plan. The 17 listed policies set out to achieve this objective, and of most relevant to this proposal is Policy 8:

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

Part 3 guides the implementation of the NPSIB. Of relevance is the following approach to implementing the NPSIB.

#### *3.16 Indigenous biodiversity outside SNAs*

*(1) If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.*

Effects Management Hierarchy is defined as follows:

*effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:*

*(a) adverse effects are avoided where practicable; then*

*(b) where adverse effects cannot be avoided, they are minimised where practicable; then*

*(c) where adverse effects cannot be minimised, they are remedied where practicable; then*

*(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then*

*(e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then*

*(f) if biodiversity compensation is not appropriate, the activity itself is avoided.*

The proposed boundary adjustment does not necessitate the clearance of indigenous vegetation. As previously outlined, proposed Lot 2 includes an area of ecological unit O03/002 Rotokawau Lakes and Puwheke Beach, recorded in the Department of Conservation Protected Natural Area mapping for the Aupori Ecological District.

Given that there is an established residential use on Lot 2, and no additional Records of Title are created by the proposal, the proposal will not result in any adverse effects on habitat, with adverse effects on indigenous biodiversity being avoided, as the first step in the effects management hierarchy. It is therefore considered that the proposal is consistent with the above National Policy Statement.

### 6.3 Regional Policy Statement for Northland (“RPS”)

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

The subject site is in the coastal environment, but does not include any outstanding natural landscapes or features and does not include any areas of high or outstanding natural character. Relevant policies from the RPS are addressed below.

In terms of Policy 4.4.1 – Maintaining and protecting significant ecological areas and habitats – the relevant policy requires adverse effects of subdivision, use and development to be avoided, remedied or mitigated so that they are no more than minor, on threatened or at risk indigenous taxa, significant areas of indigenous fauna, amongst other listed natural areas and habitats. The site is part of a mapped protected natural area, however adverse effects are avoided by nature of the proposal, being an adjustment of existing sites that are already developed for residential use.

Policy 5.1.1 – Planned and coordinated development - requires co-ordinated location, design and building or subdivision, use and development. Relevant matters are listed under (a), (c), (e), (f), (g) and (h). These matters have been considered in preceding sections of this report. In particular, the proposed boundary adjustment maintains sufficient adjusted Record of Title sizes, does not create any additional Records of Title, does not require any new infrastructure, and has no implications in terms of this policy. No change of the existing land use on the adjusted Records of Title will result from the proposal. The site is not a primary production zone, does not contain highly versatile soils, and there is no reduction in the potential for soil-based primary production.

### 6.4 Objectives and Policies – Far North Operative District Plan

The objectives and policies of the Coastal Environment, Coastal Residential Zone and Subdivision Sections of the Operative District Plan are relevant to this proposal. The proposal is consistent with the relevant strategies.

<b>COASTAL ENVIRONMENT</b>	
10.3 Objectives	
10.3.1 To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.	Adverse effects are generally avoided given the existing residential land use established on each lot and the minor nature of the boundary adjustment.
10.3.2 To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance: (a) the natural character of the coastline and coastal environment; (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;	The existing level of natural character, open space and amenity values will be retained, and the proposal has no adverse impacts on ecological values, water quality and soil conservation.



<p>(d) the open space and amenity values of the coastal environment;</p> <p>(e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council)</p>	
<p>10.3.3 To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.</p>	<p>There are no known or recorded heritage or cultural sites within the subject property. No land disturbance is proposed.</p>
<p>10.3.8 To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.</p>	<p>Existing on-site water storage will be retained.</p>
<p><b>10.4 Policies</b></p>	
<p>10.4.1 That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</p> <p>(a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and</p> <p>(b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and</p> <p>(c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and</p> <p>(d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and</p> <p>(e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</p> <p>(f) 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</p> <p>(g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and</p> <p>(h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.</p>	<p>Given the developed nature of each site, the proposal is considered to be an appropriate subdivision, which does not impact natural character, the coastal environment, heritage, landscape, cultural or ecological features, existing amenity values. The proposal has no implications in terms of public access or servicing.</p>
<p>10.4.2 That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining</p>	<p>The lots are located within an existing settlement and the proposed boundary adjustment is neither sprawling nor sporadic.</p>

built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.	
10.4.9 That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.	The sites are not within an area of land subject to natural hazards.
10.4.10 To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.	Water supply is available using the existing on-site water tanks.
10.4.11 To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.	No earthworks are required.
10.4.12 That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through: (a) the siting of buildings relative to the skyline, ridges, headlands and natural features; (b) the number of buildings and intensity of development; (c) the colour and reflectivity of buildings; (d) the landscaping (including planting) of the site; (e) the location and design of vehicle access, manoeuvring and parking areas	No new buildings will result from the proposal, and proposal does not produce adverse effects on natural character and amenity values.
<b>COASTAL RESIDENTIAL ZONE</b>	
<b>10.8.3 Objectives</b>	
10.8.3.1 To enable the development of residential activity in and around existing coastal settlements	The adjusted residential lots are within an existing coastal settlement.
10.8.3.2 To protect the coastline from inappropriate subdivision, use and development.	As the proposal is a minor boundary adjustment of coastal residential lots, it is not considered to be an inappropriate subdivision.
<b>10.8.4 Policies</b>	
10.8.4.3 That residential activities have sufficient land associated with each household unit to provide for outdoor space and sewage disposal.	Each lot retains a private outdoor area, including decks and patios, and lawn area. Sewage is discharged to the reticulated sanitary sewer system.
10.8.4.4 That the portion of a site covered in buildings and other impermeable surfaces be limited to enable open space and landscaping around buildings and avoid or mitigate the effects of stormwater runoff on receiving environment.	No additional impermeable surface coverage is proposed. Stormwater management is in place for the existing impermeable areas on each lot.
10.8.4.5 That provision be made for ensuring sites have adequate access to sunlight and daylight.	The relationship between existing buildings will not change, with existing buildings not infringing the permitted activity sunlight standard in relation to the proposed boundaries. As such, the proposal maintains adequate access to sunlight and daylight on each lot.
10.8.4.5 That provision be made for ensuring sites have adequate access to sunlight and daylight.	Existing landscaping and fencing create private areas within each lot, and residents of the existing dwellings will retain suitable privacy and outdoor living areas.
<b>SUBDIVISION</b>	

<b>13.3 Objectives</b>	
<i>13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.</i>	The proposal is a boundary adjustment which is based on the existing layout of built development on the site and is considered to represent sustainable management of existing physical resources.
<i>13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.</i>	Adverse effects on natural resources are avoided through the location of the boundary adjustment, and as no change to land use will result.
<i>13.3.5 To ensure that all new subdivisions provide ... on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.</i>	Water storage is existing, and stormwater management is in place for the existing areas of impermeable surfaces.
<i>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.</i>	There are no known or recorded heritage or cultural sites within the subject property. No land disturbance is required to implement the boundary adjustment.
<i>13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.</i>	Each lot has an existing electricity supply.
<i>13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).</i>	Both lots are developed, and the proposal has no implications in terms of this policy.
<i>13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.</i>	The existing transport framework is established on the adjoining local road network. Telecommunications connections are established.
<b>13.4 Policies</b>	
<i>13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on: (a) natural character, particularly of the coastal environment; (b) ecological values; (d) amenity values; (g) existing land uses.</i>	The allotment dimensions meet the controlled activity standard, as does the Lot 2 area. Lot 1 remains suitable for the existing land use.
<i>13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.</i>	Access to each lot is already established, and no change to the existing access arrangements is proposed or will result.
<i>13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.</i>	The subject sites are not subject to natural hazards.
<i>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.</i>	The proposed lots have existing utility connections.
<i>13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of</i>	No change to the existing access arrangements is proposed or will result, and no adverse effects on neighbouring properties or natural and physical resources will arise.

<i>the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.</i>	
<i>13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of ... significant habitats of indigenous fauna, threatened species ... where appropriate.</i>	The proposed boundary adjustment does not generate any risk to indigenous vegetation or habitats of indigenous fauna, and protection, restoration and enhancement of these features is considered unnecessary.
<i>13.4.8 That the provision of water storage be taken into account in the design of any subdivision.</i>	Water storage is existing on each lot.
<i>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.</i>	There are no known or recorded heritage or cultural sites within the subject land. No land disturbance is required to implement the proposal.
<i>13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including: (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns; (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land ... (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests; (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.</i>	The coastal character of this part of the Rangiputa will be preserved, and no new buildings or impermeable surfaces are proposed.
<i>13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.</i>	Refer to the assessment above.

## 6.5 Objectives and Policies - Far North Proposed District Plan

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

<b>COASTAL ENVIRONMENT</b>	
<b>Objectives</b>	
<i>CE-02 and use and subdivision in the coastal environment: a. preserves the characteristics and qualities of the natural character of the coastal environment; b. is consistent with the surrounding land use;</i>	The proposed boundary adjustment preserves the current level of natural character, and is an existing residential development within an urban zone.

<p>c. does not result in urban sprawl occurring outside of urban zones;</p> <p>d. promotes restoration and enhancement of the natural character of the coastal environment; and</p> <p>e. recognises tangata whenua needs for ancestral use of whenua Māori.</p>	
<p>CE-O3 Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.</p>	<p>There is no change to the scale or intensity of existing built development as a result of the boundary adjustment.</p>
<p><b>Policies</b></p>	
<p>CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as:</p> <p>a. outstanding natural character;</p> <p>b. ONL;</p> <p>c. ONF.</p>	<p>The proposal does not generate any significant or other adverse effects on the characteristics and qualities of the coastal environment.</p>
<p>CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:</p> <p>a. consolidating land use and subdivision around existing urban centres and rural settlements; and</p> <p>b. avoiding sprawl or sporadic patterns of development.</p>	<p>The proposal meets this policy, as it is a boundary adjustment, being neither sprawling nor sporadic.</p>
<p>CE-P5 Enable land use and subdivision in urban zones within the coastal environment where:</p> <p>a. there is adequacy and capacity of available or programmed development infrastructure; and</p> <p>b. the use is consistent with, and does not compromise the characteristics and qualities.</p>	<p>Existing infrastructure is provided to each lot.</p>
<p>CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and 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> <p>a. the presence or absence of buildings, structures or infrastructure;</p> <p>b. the temporary or permanent nature of any adverse effects;</p> <p>c. the location, scale and design of any proposed development;</p> <p>d. any means of integrating the building, structure or activity;</p> <p>e. the ability of the environment to absorb change;</p> <p>f. the need for and location of earthworks or vegetation clearance;</p> <p>g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</p> <p>h. any viable alternative locations for the activity or development;</p> <p>i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</p> <p>j. the likelihood of the activity exacerbating natural hazards;</p> <p>k. the opportunity to enhance public access and recreation;</p> <p>l. the ability to improve the overall quality of coastal waters; and</p> <p>m. any positive contribution the development has on the characteristics and qualities.</p>	<p>The proposal is based on the existing arrangement of buildings and infrastructure, and therefore avoids adverse effects. It provides a more rational layout for the adjusted sites. No effects in relation to the listed matters and features will arise.</p>
<p><b>GENERAL RESIDENTIAL ZONE</b></p>	
<p><b>Objectives</b></p>	
<p>GRZ-O5 Land use and subdivision in the General Residential zone provides communities</p>	<p>The boundary adjustment layout relates to an existing spatial layout of buildings and outdoor living areas, and</p>



<i>with functional and high amenity living environments.</i>	will not reduce the functionality or amenity values of the existing environment.
<b>Policies</b>	
<p><i>GRZ-P1 Enable land use and subdivision in the General Residential zone where:</i></p> <p><i>(a) there is adequacy and capacity of available or programmed development infrastructure to support it; and</i></p> <p><i>(b) there is adequacy and capacity of available or programmed development infrastructure to support it; and</i></p>	Existing infrastructure is in place for the existing residential use and development on each lot.
<p><i>GRZ-P2 Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot:</i></p> <p><i>a. telecommunications;</i></p> <p><i>i. fibre where it is available; or</i></p> <p><i>ii. copper where fibre is not available;</i></p> <p><i>b. local electricity distribution network; and</i></p> <p><i>c. wastewater, portable water and stormwater where they are available.</i></p>	Lots 1 and 2 are serviced as per this policy.
<p><i>GRZ-P8 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:</i></p> <p><i>a. consistency with the scale, design, amenity and character of the residential environment;</i></p> <p><i>b. the location, scale and design of buildings or structures, potential for shadowing and visual dominance;</i></p> <p><i>c. for residential activities:</i></p> <p><i>i. provision for outdoor living space;</i></p> <p><i>ii. privacy for adjoining sites;</i></p> <p><i>iii. access to sunlight;</i></p>	The subdivision is in the form of a minor boundary adjustment, with each lot retaining its private outdoor living area, and the relationship between existing buildings being already established. The potential adverse effects of the activity will therefore be negligible.
<b>SUBDIVISION</b>	
<b>Objectives</b>	
<p><i>SUB-O1 Subdivision results in the efficient use of land, which:</i></p> <p><i>a. achieves the objectives of each relevant zone, overlays and district wide provisions;</i></p> <p><i>b. contributes to the local character and sense of place;</i></p> <p><i>c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;</i></p> <p><i>d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;</i></p> <p><i>e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and</i></p> <p><i>f. manages adverse effects on the environment.</i></p>	The proposal provides for the existing residential dwellings and is an efficient use of the land as per the listed objectives.
<p><i>SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:</i></p> <p><i>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</i></p> <p><i>b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.</i></p>	Existing infrastructure already in place for Lots 1 and 2.
<b>Policies</b>	
<p><i>SUB-P1 Enable boundary adjustments that:</i></p> <p><i>a. do not alter:</i></p>	The proposed boundary adjustment meets this policy in that it does not increase any non-compliance with any

<p><i>i. the degree of non compliance with District Plan rules and standards;</i>  <i>ii. the number and location of any access; and</i>  <i>iii. the number of certificates of title.</i></p> <p><i>b. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.</i></p>	<p>District Plan rule or standard (noting that the area of Lot 2 is increasing, despite the impermeable surface coverage exceedance), and the lot sizes of Lot 2 and Lot 1 are in accordance with the controlled activity and discretionary activity standards for the zone respectively, with Lot 1 being only marginally less than the 600m<sup>2</sup> controlled activity standard.</p>
<p><i>SUB-P3 Provide for subdivision where it results in allotments that:</i></p> <p><i>a. are consistent with the purpose, characteristics and qualities of the zone;</i>  <i>b. comply with the minimum allotment sizes for each zone;</i>  <i>c. have an adequate size and appropriate shape to contain a building platform; and</i>  <i>d. have legal and physical access.</i></p>	<p>The adjusted Lot 1 contains an appropriate dimension and lot size to support the existing residential activity and use on the property. Each lot has legal frontage to a formed public road and physical access arrangements remain unchanged.</p>
<p><i>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</i></p>	<p>No infringements of other District Wide matters have been identified.</p>
<p><i>SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:</i></p> <p><i>a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and</i>  <i>b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.</i></p>	<p>Servicing is established for the existing dwellings. There will be no additional demand for any service infrastructure.</p>
<p><i>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:</i></p> <p><i>a. consistency with the scale, density, design and character of the environment and purpose of the zone;</i>  <i>b. the location, scale and design of buildings and structures;</i>  <i>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;</i>  <i>d. managing natural hazards;</i>  <i>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</i>  <i>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</i></p>	<p>As discussed above, adverse effects are largely avoided, given the nature of the proposal as a boundary adjustment.</p>

## 6.6 Regional Plans

### Proposed Regional Plan for Northland (February 2024)

No consents are considered necessary for the proposed boundary adjustment under the Proposed Regional Plan.

## 6.7 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

### **PART 2 PURPOSE AND PRINCIPLES**

#### **5 Purpose**

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*
  - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

#### **6 Matters of national importance**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

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

#### **7 Other matters**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall have particular regard to-*

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

#### **8 Treaty of Waitangi**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

The proposed boundary adjustment is considered to represent sustainable management of natural and physical resources as it improves the layout of the sites to suit the existing built development, without creating any additional Records of Title. No land alteration or disturbance is required, therefore there is no impact on any natural or physical resources. Vegetation disturbance and earthworks are not proposed, and further, the proposal does not facilitate any additional development. Therefore, the life supporting capacity of soil, ecosystems and water quality can be safeguarded.

There are no implications in terms of matters of national importance – the natural character of this existing coastal residential will not change, and no direct or indirect adverse effects on habitats of indigenous fauna will arise.

The relevant matters listed under Section 7 have been given regard to, as the proposal uses existing vehicle access points, does not increase the number of Records of Titles and will not detract from the quality of the environment.

The proposal has no known implications in terms of the Treaty of Waitangi.

The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.



## 7.0 Consultation & Notification Assessment

### 7.1 Public Notification

**Step 1:** Public notification is not required in terms of the criteria listed in 95A(3).

**Step 2:** Public notification is not precluded in terms of 95A(5).

**Step 3:** There are no relevant rules that require public notification. Section 95A(8)(b) requires Council to assess, in accordance with section 95D, whether the activity will have or is likely to have adverse effects on the environment that are more than minor. Section 95D directs Council, among other things, to disregard any effects on persons who own or occupy the application site and any adjacent land; and allows adverse effects of activities permitted by a rule or national environmental standard to be disregarded. As outlined in Section 5 of this report, it is submitted that the potential adverse effects of the proposal will not be more than minor. The application can therefore proceed without being publicly notified.

**Step 4:** No special circumstances are considered to exist that warrant the application being publicly notified in terms of 95A(9).

### 7.2 Limited Notification

**Step 1:** There are no affected customary rights groups in terms of Section 95B(2)(a). The proposed activity is not on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement in terms of Section 95B(3)(a).

**Step 2:** Limited notification is not precluded in terms of Section 95B(6), as the proposed boundary adjustment does not meet the controlled activity standard specified in Operative District Plan Rule 13.7.1.

**Step 3:** In terms of 95B(8) an assessment has been undertaken in accordance with section 95E. No person is considered to be an affected person as:

- The proposed boundary adjustment will not produce any additional traffic.
- No new land use activities are introduced, and reverse sensitivity or land use incompatibility effects are avoided.
- There will be no change to the amenity values or residential / coastal character of the existing environment.
- No additional wastewater or stormwater discharges are proposed. Despite there being a minor exceedance of the impermeable surface coverage permitted on Lot 2, the stormwater runoff generated by these impermeable surfaces is already managed utilising storage of roof water for potable use, and discharge of overflow and other driveway areas to Council's reticulated system.

As summarised above, it is considered that no person will be an adversely affected person, and that limited notification is not required.

**Step 4:** There are no special circumstances that warrant notification of the application to any other person.

### 7.3 Summary of Notification Assessment

As outlined above, it is considered that the proposal achieves the statutory criteria to be processed on a non-notified basis.

## 8.0 Conclusion

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

- the proposed activity achieves the “threshold test” set out in Section 104D(1) as:
  - the adverse effects of the activity on the environment resulting from the proposed activity are not more than minor and
  - the proposal is not contrary to the objectives and policies of the Operative District Plan or the Proposed District Plan.
- The proposal is not contrary to the Regional Policy Statement for Northland or the National Policy Statement for Indigenous Biodiversity.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.

We also note that:

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

For these reasons it is requested this application be considered to be a non-notified application, and that the Council grant consent to the proposal, subject to conditions and under delegated authority, as detailed in the application and supporting information.

We also note that:

- No written approvals have been sought as it is considered that there are no persons who will be adversely affected by the proposed activity.

For these reasons it is requested this application be considered to be a non-notified application, and that the Council grant consent to the proposal, under delegated authority, as detailed in the application and supporting information.



Signed .....  
Natalie Watson,  
Resource Planner

Date: 10 March 2025  
WILLIAMS & KING  
Kerikeri

## 9.0 Appendices

- Appendix 1** Scheme Plan
- Appendix 2** Records of Title



38  
DP 198775

**LOT 1**  
0.0544ha

39  
DP 198775

**LOT 2**  
0.0963ha

42  
DP 198775

MOTUTARA DRIVE

Power  
Telecom

Conc drive

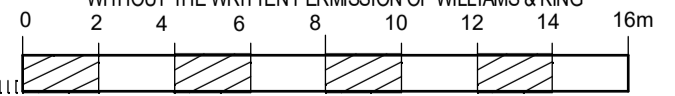
work  
shop

**Impermeable Areas**  
Lot 1 204.1m<sup>2</sup> (37.5%)  
Lot 2 542.0m<sup>2</sup> (56.3%)

Local Authority: Far North District Council

Total Area: 0.1509ha  
Comprised in: NA126B/115 & 116

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING



Prepared for: C M & M J Stanchich

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

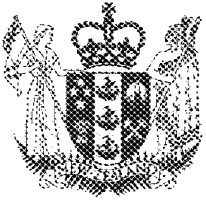
AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

**WILLIAMS AND KING**  
Registered Land Surveyors, Planners & Land Development Consultants  
Ph: (09) 407 6030 27 Hobson Ave  
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

**PROPOSED SUBDIVISION OF LOTS**  
**40 & 41 DP 198775**  
**(Boundary adjustment)**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:200	A3
Design			
Drawn	W & K Feb 2025		
Rev			

**24538**



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** NA126B/115  
**Land Registration District** North Auckland  
**Date Issued** 14 December 1999

**Prior References**

NA99C/177

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<b>Estate</b>	Fee Simple
<b>Area</b>	907 square metres more or less
<b>Legal Description</b>	Lot 40 Deposited Plan 198775

**Registered Owners**

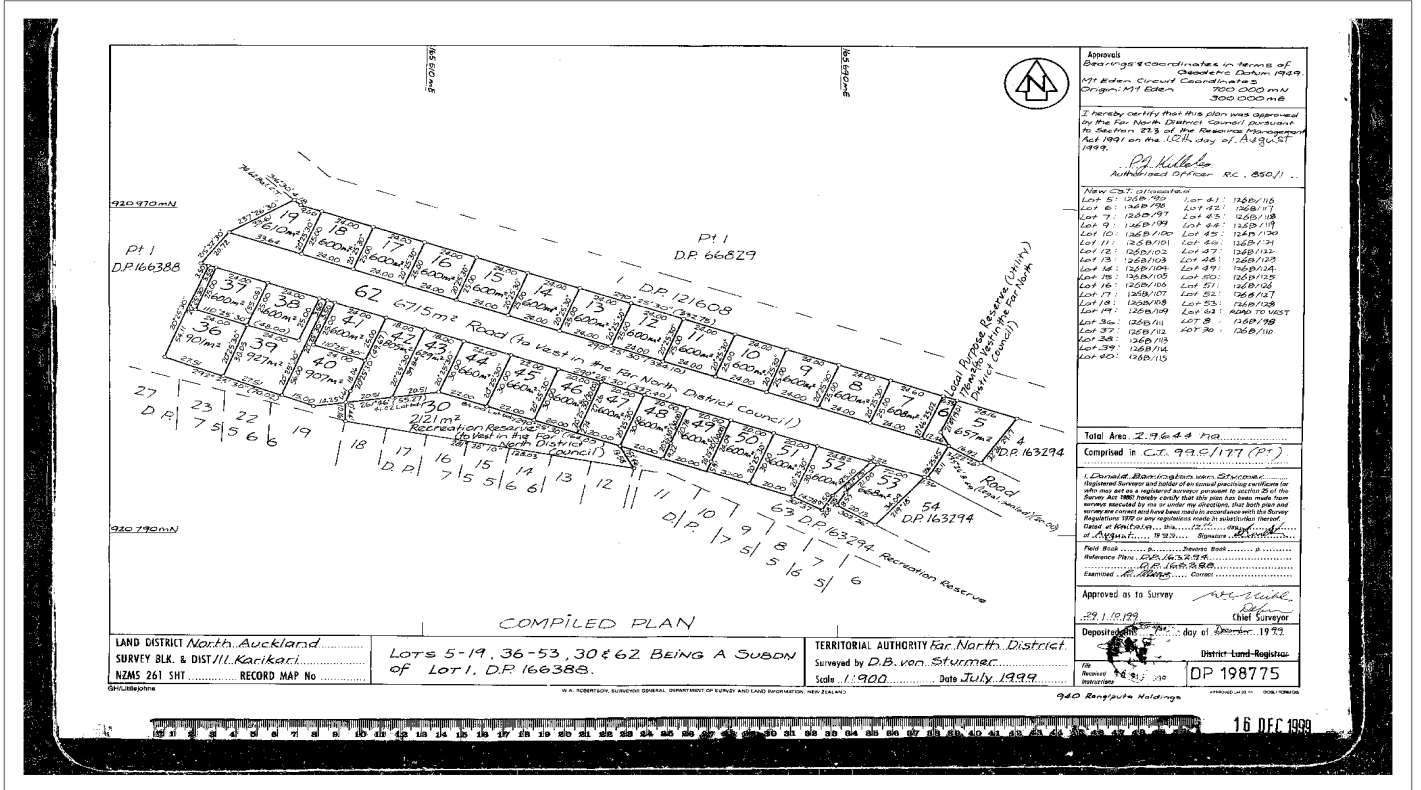
Murray John Stancich and Christine Margaret Stancich

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**Interests**

Appurtenant hereto is a right of way created by Transfer A169205

D457748.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - produced 1.12.1999 at 3.20 pm and entered 14.12.1999 at 9.00 am



Approved  
 Bearings & Coordinates in terms of  
 Geodesic Datum 1949  
 Origin: Mt Eden  
 500 000 m N  
 300 000 m E

I hereby certify that this plan was approved  
 by the Ror North District Council pursuant  
 to Section 223 of the Resource Management  
 Act 1991 on the 12th day of July 1999

*D. Killeen*  
 Authorised Officer RC 050/11

New Set of Coordinates  
 Lot 5: 1268/105 Lot 8: 1268/115  
 Lot 6: 1268/106 Lot 9: 1268/116  
 Lot 7: 1268/107 Lot 10: 1268/117  
 Lot 11: 1268/108 Lot 12: 1268/118  
 Lot 13: 1268/109 Lot 14: 1268/119  
 Lot 15: 1268/110 Lot 16: 1268/120  
 Lot 17: 1268/111 Lot 18: 1268/121  
 Lot 19: 1268/112 Lot 20: 1268/122  
 Lot 21: 1268/113 Lot 22: 1268/123  
 Lot 23: 1268/114 Lot 24: 1268/124  
 Lot 25: 1268/115 Lot 26: 1268/125  
 Lot 27: 1268/116 Lot 28: 1268/126  
 Lot 29: 1268/117 Lot 30: 1268/127  
 Lot 31: 1268/118 Lot 32: 1268/128  
 Lot 33: 1268/119 Lot 34: 1268/129  
 Lot 35: 1268/120 Lot 36: 1268/130  
 Lot 37: 1268/121 Lot 38: 1268/131  
 Lot 39: 1268/122 Lot 40: 1268/132  
 Lot 41: 1268/123 Lot 42: 1268/133  
 Lot 43: 1268/124 Lot 44: 1268/134  
 Lot 45: 1268/125 Lot 46: 1268/135  
 Lot 47: 1268/126 Lot 48: 1268/136  
 Lot 49: 1268/127 Lot 50: 1268/137  
 Lot 51: 1268/128 Lot 52: 1268/138  
 Lot 53: 1268/129 Lot 54: 1268/139  
 Lot 55: 1268/130 Lot 56: 1268/140  
 Lot 57: 1268/131 Lot 58: 1268/141  
 Lot 59: 1268/132 Lot 60: 1268/142  
 Lot 61: 1268/133 Lot 62: 1268/143

Total Area 2,764,470  
 Compiled in C.T. 995/177 (PT)

I, Charles B. H. Stammers, Registered Surveyor and holder of a current practicing certificate for which I hold a registered name, do hereby certify that this plan has been made and verified in accordance with the provisions of the Survey Regulations 1972 of any regulations made in substitution thereof.

Paul Bush ..... District Engineer  
 District Engineer  
 Approved as to Survey *D.B. von Sturmer*  
 Chief Surveyor  
 Deposited this 12th day of July 1999  
 District Land Registrar  
 DP 198775

LAND DISTRICT North Auckland SURVEY BLK. & DIST III, Kaitiaki	LOTS 5-19, 36-53, 30 & 62 BEING A SUBDN of Lot 1, D.P. 166388.	TERRITORIAL AUTHORITY for North District Surveyed by D.B. von Sturmer Scale 1:900 Date July 1999
NZMS 261 SHT	RECORD MAP No	

1-0-0

Ref. A 169205 TR

D.E. Stamp 1952

16-VII-66 56430 -III \*\*\*\*\*1-0-0

(Approved by the District Land Registrar, Auckland, No. 3360)

(New Zealand)

(C)

Under the Land Transfer Act, 1952

# Memorandum of Transfer

PATRICK FRANCIS BARRY of Waipapakauri Hotel Proprietor, NOEL VARLEY SPANHAKE of Kaingaroa Farmer, JOHN BOWMAN MOREY of Kaingaroa Naval Rating and HARVEY REX SPANHAKE of Auckland Oil Company Representative (hereinafter called "the Transferors") being registered as proprietors of an estate in fee simple as tenants in common in equal shares

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in that piece of land situated in the Land District of Auckland containing:

FIRST: 3 acres 2 roods 34.3 perches more or less being Lot 1 ..... ~~more or less being~~ Deposited Plan 51311 and being part Section 2 Block III Karikari Survey District and being part of the land comprised in Certificate of Title Volume 602 Folio 194 (Auckland Registry).

SECONDLY: 306 acres 1 rood 5.7 perches more or less being part .... Section 2 Block III Karikari Survey District and being the residue of the land comprised in Certificate of Title Volume 602 Folio 194 .... (Auckland Registry).

IN CONSIDERATION of the sum of TEN SHILLINGS (10/-) paid to them by MERVYN LESLIE CRENE of Kaitaia Farmer (hereinafter called "the Transferee") (the receipt of which sum is hereby acknowledged) DO .. AND EACH OF THEM DOTH HEREBY TRANSFER to the Transferee all their .. estate and interest in the said piece of land first abovedescribed ..

~~RESERVING NEVERTHELESS~~ to the Transferors their heirs executors .... administrators and assigns all their servants agents workmen and .... visitors and all persons having business with them a full free and .. perpetual right of way ingress egress and regress on horseback or on .. foot and with or without implements and vehicles of every description loaded or unloaded by night as well as by day in over and upon that .. portion of the first abovedescribed land as is coloured yellow on the said Deposited Plan 51311 such easement of right of way being in .... common with that of any other person or persons from time to time ...

A  
23/5/66

3/10  
3.2.34.3  
306 / 5.7

SKYRME

having like rights TO THE INTENT that such easement of right of way hereby created shall be forever appurtenant to the said piece of land or any and every part thereof secondly abovedescribed/ AND IT IS HEREBY DECLARED for the purposes. of The Stamp Duties Act 1954 that no instrument of agreement for sale in writing as defined by Section 78 was entered into between the .... parties hereto in respect of the foregoing transaction.

DATED this 3rd day of August 1966.

SIGNED by the said PATRICK FRANCIS }  
BARRY in the presence of:-

*P F Barry*

*Ray H Kelly*  
*Solicitor*  
*Kaitiaki*

SIGNED by the said NOEL VARLEY .... }  
SPANHAKE in the presence of:-

*Neil Spanhake*

*W J ...*  
*Solicitor*

*Auckland*

SIGNED by the said JOHN BOWMAN MOREY }  
in the presence of:-

*J B Morey*

*Ray H Kelly*  
*Solicitor*  
*Kaitiaki*

SIGNED by the said HARVEY REX SPANHAKE }  
in the presence of:-

*H R Spanhake*

*W J ...*  
*Solicitor*  
*Auckland*

In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all estate and interest in the  
said piece of land above described

In witness whereof have hereunto subscribed name this  
day of one thousand nine hundred and

Signed by the above named

in the presence of



A169205

274

No.

Correct for the purposes of the Land Transfer Act.

TRANSFER OF

PATRICK FRANCIS BARRY,  
NOEL VARLEY SPANHAKE,  
JOHN BOWMAN MOREY

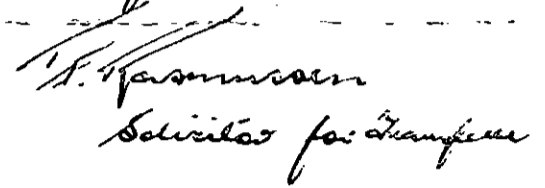


Solicitor for the Transferee

and

HARVEY REX SPANHAKE Transferees

I certify the within Transferee  
is the registered proprietor of  
the adjoining land comprised  
in Certificate of Title 602/193

  
Solicitor for Transferee

MERVYN LESLIE CRONE Transferee

Particulars entered in the Register-Book Vol. 602/194

Folio  
the 19<sup>th</sup> day of August 1966  
at 2.15 o'clock

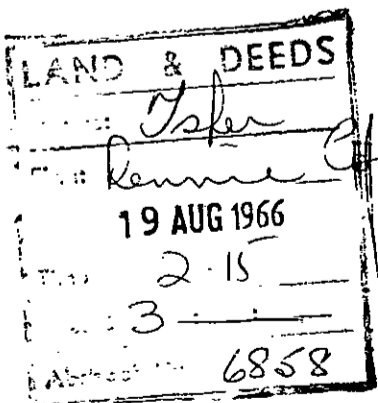
*La Tunnage*

Assistant Land Registrar  
of the District of *North* Auckland



22546  
120 BLS 01

9B/1132



REYNOLDS & RASMUSSEN

Solicitors,

KAITIA.

Solicitors for the Transferee



THE RESOURCE MANAGEMENT ACT 1991

D457748.2

SECTION 221 : CONSENT NOTICE

CONO.

REGARDING:

The Subdivision of Lot 1 DP 166388 Part  
Section 2 Block III Karikari Survey  
District North Auckland Registry

PURSUANT to Section 221 and for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in Schedule 1 below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and this Notice is to be registered on the new titles, as set out in Schedule 2 herein.

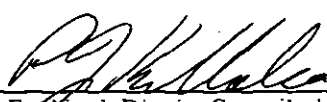
SCHEDULE 1

- (i) Pursuant to Section 220 (1) (c) of the Resource Management Act 1991 and in accordance with Policy 9.10 of the Transitional Far North District Council Plan, Lots 36, 39, 40 and 42-53 (inclusive) on plan No. 198775 are subject to a building line restriction of no less than 7.0 metres from the line of the top of the escarpment as shown on the annexed copy plan.

SCHEDULE 2

- (i) Lot 36, 39, 40 and 42-53 (inclusive) DP 198775 being respectively Certificates of Title 126B/111, 126B/114, 126B/115, 126B/117, 126B/118, 126B/119, 126B/120, 126B/121, 126B/122, 126B/123, 126B/124, 126B/125, 126B/126, 126B/127 and 126B/128.

SIGNED:

  
By the Far North District Council - by its Environmental Services Manager

DATE: 1 November 1999

SIGNED by Doris Mabel BARRY  
as registered proprietor by her Attorney  
Michael Ralph NORTON  
in the presence of:



  
PAUL R. GORRINGE  
SOLICITOR  
PAIHIA

**DECLARATION OF NON-REVOCATION OF  
ENDURING POWER OF ATTORNEY**

I Michael Ralph NORTON formerly of Hamilton, now of Kerikeri, company director do solemnly and sincerely declare as follows:

- 1 THAT by Enduring Power of Attorney dated the 18<sup>th</sup> day of December 1996 (Registered No. D.289614.1), Doris Mabel BARRY of Waipapakauri, farmer appointed myself and Christine Anne LEWIS (jointly and severally) to be her Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
- 2 THAT at the date hereof the declarant has not received any notice or information of the revocation of that appointment by the death of the said Doris Mabel BARRY or otherwise.
- 3 THAT the said Power of Attorney is in all respects in force at the date hereof by virtue of its terms and the provisions of Part IX of the Protection of Personal and Property Rights Act 1988.
- 4 THAT the declarant is authorised by the enduring Power of Attorney to execute the annexed instrument.
- 5 THAT the annexed instrument complies with all conditions and restrictions set out in the said Power of Attorney.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at  
this / day of  
1999 before me:

*Lashia*  
*November '99*  
)  
)

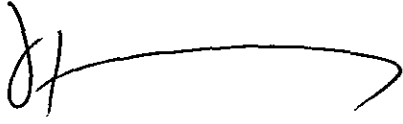
*Morton*  
.....

M R Norton

*Boonangi*  
.....  
A Solicitor of the High Court of New Zealand

SIGNED by Pamela SPANHAKÉ  
as registered proprietor  
in the presence of:

)  
) P Spanhake  
)



D.F. LEANING  
SOLICITOR  
MANGONUI

SIGNED by John Bowman MOREY  
as registered proprietor  
in the presence of:

)  
) J B Morey  
)



D.F. LEANING  
SOLICITOR  
MANGONUI

SIGNED by Beverley June SPANHAKÉ  
as registered proprietor  
in the presence of:

)  
) B Spanhake  
)



BRETT MICHAEL SPANHAKÉ  
PURCHASING MANAGER  
PAPATOETOE

Approvals  
 Bearings & coordinates in terms of  
 Geodetic Datum 1949  
 Mt Eden Circuit Coordinates S  
 Origin: Mt Eden  
 700 000 mN  
 300 000 mE

I hereby certify that this plan was approved  
 by the Far North District Council pursuant  
 to Section 223 of the Resource Management  
 Act 1991 on the 10th day of August  
 1999.

P.A. Killelea  
 Authorized Officer RC 050/1  
 RC 1960764/1  
 New CST allocated

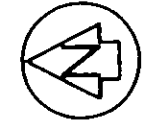
- Lot 5: Lot 41:
- Lot 6: Lot 42:
- Lot 7: Lot 43:
- Lot 8: Lot 44:
- Lot 9: Lot 45:
- Lot 10: Lot 46:
- Lot 11: Lot 47:
- Lot 12: Lot 48:
- Lot 13: Lot 49:
- Lot 14: Lot 50:
- Lot 15: Lot 51:
- Lot 16: Lot 52:
- Lot 17: Lot 53:
- Lot 18: Lot 54:
- Lot 19: Lot 55:
- Lot 20: Lot 56:

Total Area 2,9644 ha  
 Comprised in C.I. 995/177 (PT)

Daniel Bannister, v.m. Sturmer  
 Registered Surveyor and holder of an annual practicing certificate for  
 who may act as a registered surveyor pursuant to section 25 of the  
 Survey Act 1980 hereby certify that this plan has been made from  
 surveys executed by me or under my directions, that both plan and  
 survey are correct and have been made in accordance with the Survey  
 Regulations 1972 or any regulations made in substitution thereof.  
 Dated at Auckland, this... day of... 19...  
 Signature

Field Book  
 Reference Plans  
 Examined

Approved as to Survey  
 Chief Surveyor  
 Deposited this... day of... 19...  
 District Land Registrar  
 198775



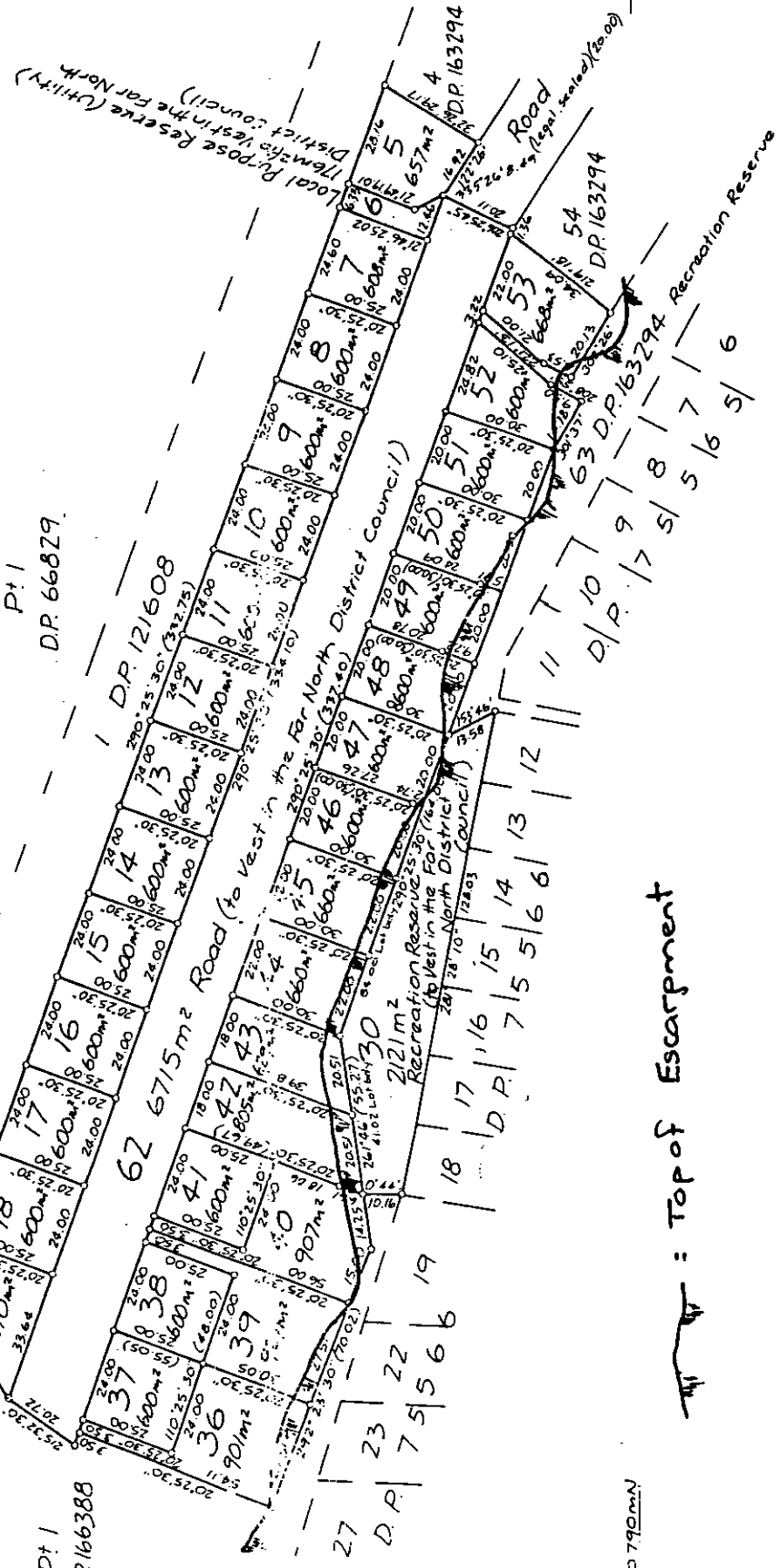
165 690 mE

165 510 mE

202773A 0 0005110 USE

920 970 mN

Pt 1  
 D.P. 166388



COMPILED PLAN

Top of Escarpment

LAND DISTRICT North Auckland  
 SURVEY BLK. & DIST/III Karikari  
 N.Z.M.S 261 SH1 RECORD MAP NO

TERRITORIAL AUTHORITY Far North District  
 Surveyed by D.B. von Sturmer  
 Scale 1:900 Date July 1999

LOTS 5-19, 36-53, 30 & 62 BEING A SUBDN  
 OF LOT 1, D.P. 166388.

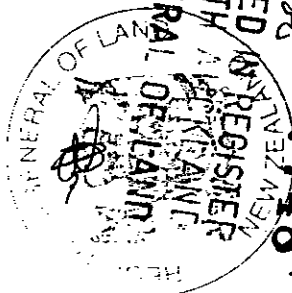
LINZ COPY ⊕

PRODUCED 3.20 ENTERED

01.DEC99 D

457748.2

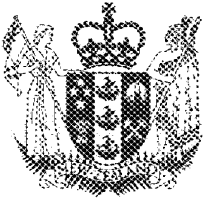
PARTICULARS ENTERED  
LAND REGISTRY NORTH  
for REGISTRAR-GENERAL



200 1268/111  
117-128

Handwritten notes:   
- A circled '2' connected by a line to a circled '9a c/111'.  
- The text 'copy for -' written below the circles.





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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** NA126B/116  
**Land Registration District** North Auckland  
**Date Issued** 14 December 1999

**Prior References**

NA99C/177

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<b>Estate</b>	Fee Simple
<b>Area</b>	600 square metres more or less
<b>Legal Description</b>	Lot 41 Deposited Plan 198775

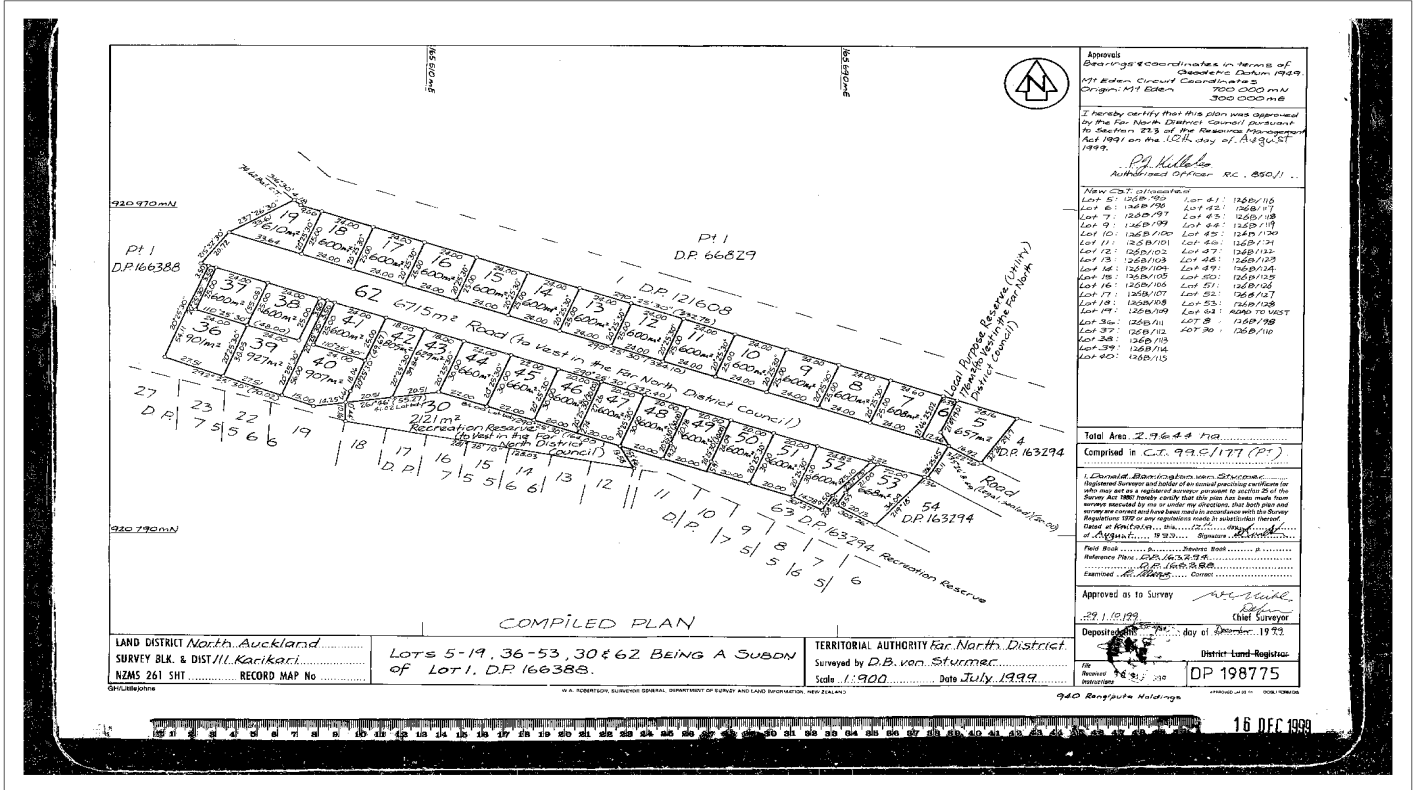
**Registered Owners**

Murray John Stancich and Christine Margaret Stancich

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**Interests**

Appurtenant hereto are rights of way created by Transfer A169205  
Fencing Covenant in Transfer D638235.1 - 7.9.2001 at 9.00 am  
Land Covenant in Transfer D638235.1 - 7.9.2001 at 9.00 am  
8891570.1 Mortgage to Bank of New Zealand - 17.10.2011 at 3:11 pm



Approved  
 Bearings & Coordinates in terms of  
 Geodesic Datum 1949  
 Origin: M1 Edm  
 500 000 m N  
 300 000 m E

I hereby certify that this plan was approved  
 by the Ror North District Council pursuant  
 to Section 223 of the Resource Management  
 Act 1991 on the 12th day of July 1999.

*D. K. Killeen*  
 Authorised Officer RC. 850/11

NEW SET OF COORDINATES

Lot 5: 1268/115	Lot 8: 1268/115
Lot 6: 1268/115	Lot 9: 1268/115
Lot 7: 1268/115	Lot 10: 1268/115
Lot 11: 1268/115	Lot 12: 1268/115
Lot 13: 1268/115	Lot 14: 1268/115
Lot 15: 1268/115	Lot 16: 1268/115
Lot 17: 1268/115	Lot 18: 1268/115
Lot 19: 1268/115	Lot 20: 1268/115
Lot 21: 1268/115	Lot 22: 1268/115
Lot 23: 1268/115	Lot 24: 1268/115
Lot 25: 1268/115	Lot 26: 1268/115
Lot 27: 1268/115	Lot 28: 1268/115
Lot 29: 1268/115	Lot 30: 1268/115
Lot 31: 1268/115	Lot 32: 1268/115
Lot 33: 1268/115	Lot 34: 1268/115
Lot 35: 1268/115	Lot 36: 1268/115
Lot 37: 1268/115	Lot 38: 1268/115
Lot 39: 1268/115	Lot 40: 1268/115
Lot 41: 1268/115	Lot 42: 1268/115
Lot 43: 1268/115	Lot 44: 1268/115
Lot 45: 1268/115	Lot 46: 1268/115
Lot 47: 1268/115	Lot 48: 1268/115
Lot 49: 1268/115	Lot 50: 1268/115
Lot 51: 1268/115	Lot 52: 1268/115
Lot 53: 1268/115	Lot 54: 1268/115
Lot 55: 1268/115	Lot 56: 1268/115
Lot 57: 1268/115	Lot 58: 1268/115
Lot 59: 1268/115	Lot 60: 1268/115
Lot 61: 1268/115	Lot 62: 1268/115

Total Area 2,964,471 sqm  
 Comprised in C.T. 995/177 (PT)

I, Charles B. Bannister, being the  
 Registered Surveyor and holder of a special practicing certificate for  
 which he has a registered name, do hereby certify that this plan has been made  
 in accordance with the provisions of the Resource Management Act 1991 and  
 that the boundaries shown thereon are correct and that the area has been  
 measured by me or under my direction, and that the plan and  
 survey are correct and have been made in accordance with the Survey  
 Regulations 1972 or any regulations made in substitution thereof.  
 Dated at Auckland, this 12th day of July 1999.

Approved as to Survey  
*D. K. Killeen*  
 Chief Surveyor

Deposited this 12th day of July 1999  
 District Land Registrar  
 DP 198775

LAND DISTRICT North Auckland  
 SURVEY BLK. & DIST III, Kaikara  
 NZMS 261 SH1 RECORD MAP No

LOTS 5-19, 36-53, 30 & 62 BEING A SUBDN  
 of LOT 1, D.P. 168388.

TERRITORIAL AUTHORITY for North District  
 Surveyed by D.B. von Sturmer  
 Scale 1:900 Date July 1999

940 Rangitike Holdings  
 16 DEC 1999