



Our Reference: 9279

11 April 2025

Resource Consents Department  
Far North District Council  
JB Centre  
KERIKERI

Dear Sir/Madam

**RE: Re-approval of a subdivision – 2262 Waiare Road, Kaeo – Jim Tubbs**

I am pleased to submit application on behalf of Jim Tubbs, for the re-approval of Stage 2 of a previously consented subdivision, on land zoned Rural Production at Waiare Road, Kaeo. The application is a discretionary activity.

The application fee of \$2,967 has been paid separately via direct credit.

Regards

Lynley Newport  
**Senior Planner**  
**THOMSON SURVEY LTD**

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

## 2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

Yes  No

## 4. Consultation

Have you consulted with iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

## 5. Applicant Details

**Name/s:**

Jim Tubbs

**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:**

Lynley Newport

**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:**

as per Item 5

**Property Address/  
Location:**

Postcode

## 8. Application Site Details

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

<b>Name/s:</b>	As per Item 5		
<b>Site Address/ Location:</b>	Waiare Road		
	Kaeo		
	Postcode		
<b>Legal Description:</b>	Lot 2 DP 530521	<b>Val Number:</b>	
<b>Certificate of title:</b>	863024		

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

### Site visit requirements:

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

Is there a dog on the property?  Yes  No

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

Please call applicant and/or agent in advance of any site visit.

## 9. Description of the Proposal:

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

Re-approval of a previously granted Subdivision consent, to create two lots on land zoned Rural Production and with an Outstanding Landscape notation, both lots in excess of 20ha in area. The activity is a controlled activity.

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

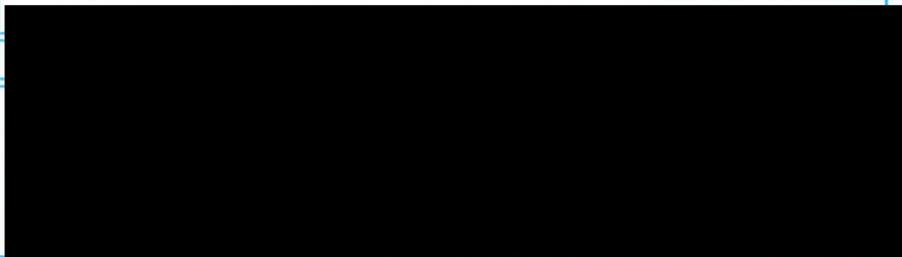
### 13. Draft Conditions:

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.

<b>Name/s:</b> (please write in full)	Jim Tubbs
<b>Email:</b>	
<b>Phone number:</b>	
<b>Postal address:</b> (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.

<b>Name:</b> (please write in full)	JIM TUBBS
<b>Signature:</b> (signature of bill payer)	 MANDATORY
	Date 10-4-25

## 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)

JIM TUBBS

**Signature:**

[Redacted Signature]

Date 10-4-25

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

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

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

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

**Mokau Station Limited**

**PROPOSED RE APPROVAL OF SUBDIVISION  
PURSUANT TO  
FNDC OPERATIVE DISTRICT PLAN**

**2262 Waiare Road, Kaeo**

**PLANNER'S REPORT &  
ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Thomson Survey Ltd  
Kerikeri

## 1.0 THE PROPOSAL

RC 2180640-RMASUB and subsequent Variation 2180640-RMAVAR/B to break it into two stages, were consents issued in August 2018 and March 2019 respectively. A copy of RC 2180640-RMAVAR/B is attached in Appendix 4. Stage 1 provided for the creation of two large rural lots. Stage 2 provided for the further subdivision of Lot 2 Stage 1, to take off a third lot.

Stage 1 has been given effect to and new titles deposited. A copy of the Title Deposit Notice is attached in Appendix 5. Stage 2 has lapsed. This application effectively seeks re-approval for Stage 2.

This creates two lots, both in excess of 20ha, just as the original Stage 2 did. Access is off Waiare Road via rights of way, just as with the original Stage 2. Parts of the site will be subject to bush protection, just as with the original Stage 2. There are proposed amalgamation conditions, just as with the original Stage 2 (involving small slivers of road side land to be held with the large Lot 2).

However, there are several minor differences between the original Stage 2 and the re-approval now being sought. These are:

- Minor difference in Lot areas, with Lot 1 decreasing in area and Lot 2 increasing. The net area changing is 3.7ha. Both lots remain greater than 20ha in area.
- Easements C & D to now also be in favour of Section 12, Blk X Kaeo SD. Please note the recently issued 2220490-RMAVAR/B on land between the application site and Waiare Road, includes the addition of Section 12, Blk X Kaeo to easements consented as part of 2220490, and this re-approval application simply extends that now consented easement to Section 12 boundary.
- Easement E will be in favour of Lot 1 hereon and Section 12.

- 
- New Easements F and G to get to the boundary of Section 12. Note Section 12 is currently a landlocked section of land.
  - Restrictive Bush Covenant (subject to an existing Consent Notice) to be applied to only those areas within Lots 1 & 2 that are mapped as Outstanding Landscape in the ODP, with specific exemption for the maintenance and creation of access (as was provided for in the original consent).
  - Clear identification of two areas that are excluded from the Outstanding Landscape mapped extent in the ODP and within which buildings can be located.

The application site is no longer the original subdivision's application site, given that Lot 2 of Stage 1 has been given effect to and is now its own title.

Section 7 of this planning report contains suggested conditions of consent, remaining as similar to those applying to the now lapsed Stage 2 of 2180640-RMAVAR/B as possible.

## 1.2 Scope of this Report

This assessment and report accompanies the Resource Consent Application made by the applicant, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks re-approval consent for Stage 2 as a controlled activity subdivision. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. Applicant details are contained within the Application Form 9.

## 2.0 PROPERTY DETAILS

Location: 2262 Waiare Road, Kaeo - location map in Appendix 2

Legal description: Lot 2 DP 530521

Records of Title: 863024, copy attached in Appendix 3.

## 3.0 SITE DESCRIPTION

### 3.1 Site Characteristics

The property comprises a mix of pasture and scrub on rolling to moderately steep hill slopes on the northern and eastern sides of a native bush covered flat-topped hill. There is a cluster of buildings on the site's eastern 'arm' (refer to consent history below).

The property is zoned Rural Production under the Operative District Plan. The majority of Lot 2 and small portion of Lot 1 is mapped as Outstanding Landscape. There are no other resource features listed in the Operative District Plan on or near the application site.

The underlying soils and geology have been mapped as a mixture of *Otangaroa clay and sandy clay loam*, *Waiotira clay* and *Rangiora clay, clay loam and silty clay loam*. All three soil types are imperfectly to very poorly drained and none are mapped as highly versatile (highly

productive land). The underlying geology is *massive sandstone* and *argillite* with some patches of *volcanics*.

There is formed metal surface access across adjacent land to the property's boundaries and an access track cutting through Lot 2 on a west-east axis.

The property is within a kiwi present area. Much of the bush cover within the site is part of PNA P04/038 (Puketi-Omahuta Forest). The bush consists of secondary bush and scrub. There are no archaeological, heritage cultural sites (as scheduled in the ODP) within the application site, nor any NZAA recorded archaeological sites.

The property is also zoned Rural Production in the Proposed District Plan (PDP). The outstanding landscape referred to earlier in this section has carried over with similar boundaries, into the PDP – as Outstanding Natural Landscape (Omahuta Puketi bushlands).

### 3.2 Legal Interests on Titles

The following instruments are listed on the title:

Transfer C390670.6 – right of way easement (both subject to and appurtenant; and Caveat 10092663.1, registered by Top Energy to enable a proposed high voltage power line across the northern end of the property. The latter only affected Lot 1 of Stage 1 and should not have carried over onto the application site title.

As part of the Stage 1 subdivision, Consent Notice 11417279.5 was registered on the title. The clauses relevant to Lot 2 DP 530521 (the application site) will carry over. Also as a result of Stage 1, right of way easement 11417279.6 was registered. This provides for access to Lot 1, Stage 1, over the application site, and will remain. Relevant instruments form part of Appendix 3.

### 3.3 Consent History

Building consent history includes:

- BP65472, issued in 1968 for a garage;
- BP1747, also issued in 1968 for a storshed;
- BP11264, issued in 1979 for a dwelling; and
- BP49906, issued in 1984 for a garage.

Resource consent history consists of RC 2180640-RMAVAR/B, already referred to in this report, for which a re-approval is now being sought for the lapsed Stage 2.

It is my understanding that any physical works required for Stage 1 of RC 2180640-RMAVAR/B have been completed – TA Approvals issued and Titles deposited.

**4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION****Clauses 2 & 3: Information required in all applications**

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Sections 1 above and 5 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 6 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Section 3 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	Refer to Sections 3 and 5 of this Planning Report. The application is for consent pursuant to Operative District Plan only.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	No other consents are required other than that being applied for pursuant to the Far North Operative District Plan.
<i>(f) an assessment of the activity against the matters set out in Part 2:</i>	Refer to Section 7 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i>  <i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i>	Refer to Sections 5 & 7 of this Planning Report.
<i>(3) An application must also include any of the following that apply:</i>	
<i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource</i>	Refer sections 3 and 5.

<p>consent is not required for that activity under section 87A(1):</p> <p>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</p> <p>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</p>	<p>There is no existing resource consent. Not applicable.</p> <p>The site is not within an area subject to a customary marine title group. Not applicable.</p>
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**Clause 4: Additional information required in application for subdivision consent**

<p>(4) An application for a subdivision consent must also include information that adequately defines the following:</p>	
<p>(a) the position of all new boundaries: (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan: (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips: (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips: (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A: (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A): (g) the locations and areas of land to be set aside as new roads.</p>	<p>Refer to Scheme Plans in Appendix 1.</p>

**Clause 5: Additional information required for application for reclamation – not applicable.**

**Clause 6: Information required in assessment of environmental effects**

<p>(1) An assessment of the activity's effects on the environment must include the following information:</p>	
<p>(a) if it is likely that the activity will</p>	<p>Refer to Section 6 of this planning report. The activity will not</p>

<i>result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</i>	result in any significant adverse effect on the environment.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 6 of this planning report.
<i>(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</i>	Not applicable as the application does not involve hazardous installations.
<i>(d) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</i>	The subdivision does not involve any discharge of contaminant.
<i>(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:</i>	Refer to Section 6 of this planning report.
<i>(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:</i>	Refer to Section 8 of this planning report.
<i>g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:</i>	No monitoring is required as the scale and significance of effects does not warrant any.
<i>(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).</i>	No protected customary right is affected.

**Clause 7: Matters that must be addressed by assessment of environmental effects (RMA)**

(1) An assessment of the activity's effects on the environment must address the following matters:

<i>(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:</i>	Refer to Sections 6 and 8 of this planning report and also to the assessment of objectives and policies in Section 7.
<i>(b) any physical effect on the locality, including any landscape and visual effects:</i>	Refer to Section 6. The proposed activity will have no adverse effects on the physical environment and landscape and visual amenity values.
<i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i>	Refer to Section 6. The proposal will result in no adverse effects in regard to habitat and ecosystems.
<i>(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</i>	Refer to Section 6, and above comments
<i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i>	The subdivision will not result in the discharge of contaminants, nor any unreasonable emission of noise.
<i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i>	The subdivision site is not subject to natural hazards and does not involve hazardous installations.

## 5.0 ACTIVITY STATUS

### 5.1 Operative District Plan

The site is zoned Rural Production, with no resources.

**Table 13.7.2.1: Minimum Lot Sizes**

(i) RURAL PRODUCTION ZONE

<b>Controlled Activity Status (Refer also to 13.7.3)</b>	<b>Restricted Discretionary Activity Status (Refer also to 13.8)</b>	<b>Discretionary Activity Status (Refer also to 13.9)</b>
The minimum lot size is 20ha.	1. The minimum lot size is 12ha; or 2. The minimum lot size is 12ha; or ....	1. The minimum lot size is 4ha; or 2. A maximum of 3 lots in any subdivision, provided ...

(xix) OUTSTANDING LANDSCAPE, OUTSTANDING LANDSCAPE FEATURES AND OUTSTANDING NATURAL FEATURES

<b>Controlled Activity Status (Refer also to 13.7.3)</b>	<b>Restricted Discretionary Activity Status (Refer also to 13.8)</b>	<b>Discretionary Activity Status (Refer also to 13.9)</b>
The minimum lot size is 20ha except in the General Coastal Zone.	1. The minimum lot size is 20ha in the General Coastal Zone.	1. For the Rural Production, General Coastal and Coastal Living Zones subdivision via a management plan as per Rule

		13.9.2;....
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All lots are greater than 20ha in area. The Council processed RC 2180640 as a controlled activity subdivision on this basis following in house discussion at the time – refer to the RC 2180640-RMASUB s95 Report attached to the property file.

Other Rules:

No other rule breaches were identified during the processing of the original RC 2180640. The consent was issued as a controlled activity (decision states pursuant to 104A).

## 5.2 Proposed District Plan (PDP)

The original consent was granted before the FNDC publicly notified its PDP on 27<sup>th</sup> July 2022. Whilst the majority of rules in the PDP will not have legal effect until such time as the FNDC publicly notifies its decisions on submissions, there are certain rules that have been identified in the PDP as having immediate legal effect and that may therefore need to be addressed in this application and may affect the category of activity under the Act. These include the following and their relevance to this proposal is assessed below:

Rules HS-R2, R5, R6 and R9 in regard to hazardous substances on scheduled sites or areas of significance to Maori, significant natural areas or a scheduled heritage resource.

There are no scheduled sites or areas of significance to Maori, significant natural areas or any scheduled heritage resource on the site, therefore these rules are not relevant to the proposal.

Heritage Area Overlays – N/A as none apply to the application site.

Historic Heritage rules and Schedule 2 – N/A as the site does not have any identified (scheduled) historic heritage values.

Notable Trees – N/A – no notable trees on the site.

Sites and Areas of Significance to Maori – N/A – the site does not contain any site or area of significance to Maori.

Ecosystems and Indigenous Biodiversity – Rules IB-R1 to R5 inclusive.

The original consent Stage 2 conditions, whilst requiring the outstanding landscape bush cover area to be protected, also provided for the protection to *exclude* any existing or proposed access. I am advised that at least easement E (access) has already been cleared and access formed to some degree. There may well be other existing farm tracks within the large rural property. I would expect that any indigenous vegetation clearance required to

maintain or upgrade these existing access tracks would be provided for in IB-R1 – permitted clearance.

Subdivision (specific parts) – only subdivision provisions relating to land containing Significant Natural Area or Heritage Resources have immediate legal effect. The site contains no scheduled or mapped Significant Natural Areas or Heritage Resources.

Activities on the surface of water – N/A as no such activities are proposed.

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks and artefacts are discovered. EW-R13 and associated EW-S5 refer to operating under appropriate Erosion and Sediment Control measures.

RC 2180640 contained an Advice Note in regard to the ADP applying to any earthworks, and the same approach can be taken in this re-approval. Similarly an Advice Note can be included in regard to the need to ensure appropriate Erosion and Sediment Control measures are in place.

Signs – N/A – signage does not form part of this application.

Orongo Bay Zone – N/A as the site is not in Orongo Bay Zone.

There are no zone rules in the PDP with immediate legal effect that affect the proposal's activity status.

## **6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

### **6.1 Allotment Sizes and Dimensions**

The lots, both over 20ha in area, can easily accommodate 30m x 30m square building envelopes.

### **6.2 Natural and Other Hazards**

The scrub and bush on the property is a potential fire hazard. The existing house on Lot 2 is set well back (>20m) from bush & scrub. There is a second potential build site within Lot 2, further west, as well as a third potential build site centrally located, surrounded by vegetation. Both these other potential build sites are cleared areas, albeit with some re growth. Both could support residential units achieving the 20m setback. There are cleared areas within Lot 1 that would enable adequate setback from bush & scrub.

There is some potential for soil erosion on the steeper slopes, however no development will be occurring on such areas, which will remain in bush. The site is not subject to inundation, rockfall, or subsidence and sea level rise is of no concern. The s95 report associated with the

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original RC 2180640 concluded that there was no reason under s106 of the Act to decline consent.

As far as I am aware, the site does not contain any contaminated soil and is not subject to the NES for Managing and Assessing Contaminants in Soil to Protect Human Health.

### **6.3 Water Supply**

The sites are located outside of Council's reticulated water supply area. Any future residential development will be reliant on water storage from roof catchment. In issuing RC 2180640, the Council imposed its standard consent notice on the titles requiring a fire fighting water supply when a habitable dwelling is built.

### **6.4 Energy Supply & Telecommunications**

Power and phone is not a requirement for rural subdivision. The application site is already subject to a consent notice stating that reticulated power supply and telecommunications services were not a requirement of the subdivision and would be the responsibility of the lot owner. The Top Energy caveat referred to earlier in this report does not actually affect the application site, and was a relevant consideration in the already completed Stage 1 only.

### **6.5 Stormwater Disposal**

There are no impermeable surfaces on Lot 1. Given that it is in excess of 20ha, it is highly unlikely that the permitted coverage threshold of 15% of site area will ever be exceeded. Stormwater management is a matter best left to building consent stage.

The only impermeable surfaces on Lot 2 are the buildings on the eastern arm and tracks and sheds, from which stormwater flows to soakage. While the soils on the application site are poorly draining, there is ample area around the roads and sheds for stormwater to disperse, well away from property boundaries.

The lots are large. I do not believe there is any need to impose any ongoing condition of consent in regard to stormwater management. RC 2180640 did not impose any such condition, with the s95 report stating that *"all stormwater is said to flow to soakage. The proposed lots are said to be large enough to provide for stormwater disposal through this method. Effects are less than minor"*. Council's engineer at the time made no comment in regard to stormwater and did not request any condition.

### **6.6 Sanitary Sewage Disposal**

The consented dwelling within Lot 2, unoccupied at the time RC 2180640 was issued, had an existing, functioning, septic tank wastewater system. Given that Lot 2 is over 126ha in area with several feasible sites for future land use that might require on site wastewater treatment and disposal, I do not believe it necessary to impose any ongoing condition of consent in regard to sanitary sewage treatment and disposal. The same applies to Lot 1, at over 20ha in area. RC 2180640 did not impose any such condition with the Council Engineer at the time stating *"I have not applied any Consent Notice regarding the treatment of wastewater and*

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the disposal of effluent. In this instance, the lot sizes are large and wastewater can be dealt with through the building consent process".

## 6.7 Property Access

To quote from original s95 report:

*An existing vehicle crossing .... provides initial entry to the site via Part Mokau 1 ... Council's Resource Consents Engineer has required that this vehicle crossing be upgraded to Council's standards.*

This was done as part of physical works required for Stage 1. No further works is required in regard to the initial crossing at Part Mokau 1 (commencement of ROW C on the scheme plan).

Right of Way C was formed to 3m metal carriageway width with passing bays and stormwater control, as a requirement of Stage 1 conditions. Rights of Way D (over Part Mokau 1), and E (over Lot 2) were required in RC 2180640 Stage 2 conditions, to be 3m finished metalled carriageway width (no passing bays). This condition can be repeated. The addition of the landlocked Section 12 as a future user of D & E may trigger a requirement for D and E to include passing bays.

The inclusion of Section 12 as a future benefitting tenement for access, has resulted in the addition of easements F & G on the re-approval scheme plan. These can be formed to the required 3m metal carriageway standard.

## 6.8 Easements for any purpose

Refer to Scheme Plan. There are several existing easements, both appurtenant and to which the property is subject to. New easements include E, F and G.

## 6.9 Preservation and enhancement of heritage resources (including cultural), vegetation, fauna and landscape, and land set aside for conservation purposes

The application site contains none of the following (as listed in 13.7.3.9 of the ODP):

- (a) a Notable Tree as listed in Appendix 1D;
- (b) an Historic Site, Building or Object as listed in Appendix 1E;
- (c) a Site of Cultural Significance to Maori as listed in Appendix 1F;
- (d) an Outstanding Natural Feature as listed in Appendix 1A;
- (e) an Outstanding Landscape Feature as listed in Appendix 1B;
- (f) an archaeological site as listed in Appendix 1G.

The site is mapped in the ODP as containing outstanding landscape (the extent of that feature, as shown in the ODP, had been plotted on the scheme plans in Appendix 1). The main feature determining the value of this outstanding landscape is the extensive bush

coverage and habitat that coverage provides. The site is already subject to the following consent notice clauses:

- “(iii) the existing stock-proof fence that prevents access to PNA 04/038 Puketī-Omahuta Forest on the site from farmed animals shall be maintained to prevent and restrict browsing or any other damage.
- “(iv) No occupier of, or visitor to the site, shall keep or introduce mustelids to the site. Working dogs are permitted, provided they are under control at all times while on the property working stock.”

A further consent notice clause was to be imposed at Stage 2 (now lapsed) and can now be imposed as part of this re-approval:

- (i) “The owner shall preserve the indigenous vegetation and bush within the outstanding landscape area as shown on the survey plan, and shall not, without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. **Clearance may be carried out for the purposes of any existing or proposed access. [Lots 1, 2]**

The bolded section is essential to be included in any consent notice to be applied as part of this re-approval.

The effects on landscape values were assessed by the Council when processing RC 2180640. Lot 2 contains the majority of the outstanding landscape as it affects the application site, with two cleared areas excluded from the outstanding landscape overlay – refer to scheme plan. Potential future building sites for Lots 1 & 2 were discussed during the processing of 2180640. These can be located outside of the outstanding landscape mapped extent. As noted in the s95 report, however, one potential building site within Lot 2, currently excluded from outstanding landscape notation, has been included in the Regional Policy Statement's outstanding natural landscape map layer (and Proposed District Plan), potentially because of re-growth over the historically cleared area. The larger cleared area located centrally within Lot 2, remains excluded from outstanding natural landscape status.

It is likely that no building works will occur on Lot 2 for some time, and that the PDP will probably have legal effect once it does. This would mean that the northern cleared area on Lot 2 (currently not OL) would be included in the outstanding natural landscape coverage and any future development within that area subject to the rules applying to built development. This application for re-approval seeks to future proof an ability to build on that northern cleared area – identified as ‘H’ on the Scheme Plan.

Access to this potential building site is existing (easement E), with conditions of consent regarding vegetation clearance providing for such clearance for the purposes of access.

Having once been cleared area, it can readily be cleared again of any vegetative re growth that might have occurred. The area has gentle slopes on which a building site can be readily created without major earthworks. The site is not visible from Waiare Road and the nearest neighbouring house is 1.4km away. The conclusion, in granting 2180640, was that this potential future building site was possible without more than minor actual or potential adverse effects.

It is proposed to identify areas H and I as buildable areas within which future built development can occur.

### **6.10 Access to reserves and waterways**

All lots are in excess of 4ha in area and do not bound or contain any water body qualifying for esplanade access or reserve.

### **6.12 Land use compatibility (reverse sensitivity)**

Given the site and configuration of proposed lots and likely building sites, there is little risk of reverse sensitivity issues arising.

## **7.0 SUGGESTED CONDITIONS OF CONSENT**

The same or similar conditions applied to the original Stage 2 of 2180640-RMAVAR/B can be re-imposed as part of this re-approval. The conditions listed below are only those from (or similar to) the original and therefore are not necessarily exclusive.

1. *The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Ltd, referenced proposed subdivision of Lot 2 DP 530521, and rights of way over Pt Mokau 1, dated 19/03/2025, and attached to this consent with the Council's "Approved Stamp" affixed to them*
2. *The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:*
  - (a) *All easements in the memorandum to be duly granted or reserved.*
  - (b) *The areas of proposed Lot 1 and 2 covered by an outstanding landscape overlay. These areas shall be subject to a s221 consent notice condition for bush protection purposes.*
  - (c) *Areas 'H' and 'I' within which future built development may occur.*
3. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:*
  - (a) *Provide formed and metalled access on ROW E and D to 3m finished metalled carriageway width with passing bays provided to comply with Rule 15.1.6C.1.3 of the Far North District Plan. The formation is to be crowned to shed stormwater off the carriageway and is to consist of a minimum of 200mm of compacted hard fill*

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plus GAP 30 or GAP 40 running course. The formation is to include water table drains and culverts as required to direct and control stormwater runoff.

- (b) Provide formed and metalled access on ROW F & G to 3m finished metalled carriageway width. The formation is to be crowned to shed stormwater off the carriageway and is to consist of a minimum of 200mm of compacted hard fill plus GAP 30 or GAP 40 running course. The formation is to include water table drains and culverts as required to direct and control stormwater runoff.
- (c) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.
- (i) The owner shall preserve the indigenous vegetation and bush within the outstanding landscape areas shown on the survey plan and shall not, without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. Clearance may be carried out for the purposes of providing for existing or proposed access. **[Lots 1, 2]**
- (ii) Areas H & I on the survey plan are identified as areas available and suitable for future built development. Sufficient vegetation clearance to provide for a building platform, access and minimum 20m setback to the dripline of any bush, may be carried out within these areas. **[Lot 2]**

## 8.0 STATUTORY ASSESSMENT

### 8.1 Operative District Plan Objectives and Policies

The relevant objectives and policies in the ODP were assessed in the original application, firstly by the applicant's agent, and secondly by Council's reporting planner. I do not feel the need to comprehensively revisit these in light of the fact that there have been no changes to those objectives and policies.

#### Subdivision Objectives & Policies

##### Objectives

The subdivision is consistent with the purpose of the zone and promotes sustainable management of natural and physical resources (13.3.1). The Assessment of Environmental Effects and supporting report conclude that the proposed subdivision is appropriate for the site and that the subdivision can avoid, remedy or mitigate any potential adverse effects (13.3.2).

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Objective 13.3.3 seeks to ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment. The proposal will have no more than minor impact on outstanding landscape values.

Objective 13.3.4 refers to scheduled heritage resources, of which there are none.

The lots will be required to be self sufficient in terms of on-site water storage and appropriate stormwater management (13.3.5 & 13.4.8). The subdivision adjoins Council roads (13.3.10).

The site itself does not contain any sites of cultural significance to Maori, or wahi tapu. The subdivision will have minimal, if any, impact on water quality. I do not believe that the proposal adversely impacts on the ability of Maori to maintain their relationship with ancestral lands, water, sites, wahi tapu and other taonga (13.3.7 and 13.4.11).

In determining the layout, size and number of lots, the relevant values listed in Policy 13.4.1 have been had regard to.

Access was considered and resolved as part of the original consent, with conditions imposed as required. Additional conditions are proposed as part of this re-approval. Safe and efficient access can be provided (13.4.2 and 13.4.5). The site is not identified as being subject to any hazard (13.4.3).

The site does not contain any heritage resources. The site does contain areas of indigenous vegetation and these are to be subject to protection. Such areas coincide with areas mapped as outstanding landscape (13.4.6).

S6 matters (National Importance) are addressed later in this report and any relevant matter listed in Policy 13.4.13 has been had regard to. The subdivision has had regard to the underlying zone's objectives and policies (13.4.14).

#### Rural Production Zone Objectives and Policies

The proposed subdivision promotes sustainable management and is considered to be an efficient use and development of land as it will allow the property to continue in rural production without affecting the native bush and areas of Outstanding Landscape. Actual and potential adverse effects will all be less than minor, and this subdivision provides for the social and economic wellbeing of the community (Objectives 8.6.3.1, 8.6.3.2, 8.6.3.4 and Policy 8.6.4.5).

Land use on the property will likely continue unchanged for some time. The density proposed is extremely low and in keeping with that of the surrounding area, maintaining amenity values and continuing with the productive intent of the zone (Objective 8.6.3.3 and Policy 8.6.4.4).

Objectives 8.6.3.6 through 8.6.3.9; and Policies 8.6.4.7 through 8.6.4.9 are all related to reverse sensitivity and duplicate their intent. Granting the proposed subdivision will not have any adverse effects on other existing activities and minimal, if any reverse sensitivity effects will arise.

The proposal is considered consistent with the relevant Rural Production Zone's objectives and policies.

District wide objectives and policies relating to outstanding landscapes and indigenous vegetation are relevant. The subdivision meets controlled activity minimum lot sizes for land in Outstanding Landscape areas, and is an appropriate level of development (12.1.3.1). The proposal includes ongoing protection of the indigenous vegetation within the outstanding landscape (12.1.3.2, 12.1.4.1, 12.1.4.2, 12.1.4.3).

The bush is fenced off to exclude stock and the property is subject to a ban on mustelids. Given that it is farmed, working dogs are permitted (12.2.4.10 and 12.2.4.11).

## 8.2 Proposed District Plan Objectives and Policies

The original consent was granted prior to the Proposed District Plan (PDP) being publicly notified. This new application, although a re-approval, must be assessed against any relevant objectives and policies in the PDP. These include those pertaining to Subdivision, the Rural Production Zone, and those related to outstanding natural landscapes and indigenous biodiversity.

### **SUB-O1**

*Subdivision results in the efficient use of land, which:*

- a. achieves the objectives of each relevant zone, overlays and district wide provisions;*
- b. contributes to the local character and sense of place;*
- c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;*
- d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;*
- e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and*
- f. manages adverse effects on the environment.*

### **SUB-O2**

*Subdivision provides for the:*

- a. Protection of highly productive land; and*
- b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.*

**SUB-O3** *Infrastructure is planned to service the proposed subdivision and development where:*

- 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*
- b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.*

### **SUB-O4**

*Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:*

- a. public open spaces;*
- b. esplanade where land adjoins the coastal marine area; and*
- c. esplanade where land adjoins other qualifying water bodies*

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I consider the subdivision to achieve the objectives of the relevant zone, and district wide provisions. Local character is not adversely affected; reverse sensitivity issues will not increase; there is minimal risk from natural hazards. Adverse effects on the environment are considered to be less than minor and not requiring mitigation (SUB-O1).

The site does not contain any land that meets the definition of 'highly productive land'. The site is mapped as Outstanding Natural Landscape over much of the bush cover. This area will be subject to bush protection (the reason it's 'outstanding') with allowance for maintaining/creating access and for keeping two potential building sites cleared. The site is not in the Coastal Environment. There are no Sites or Areas of Significance to Maori or any sites of Historic Heritage (as mapped or scheduled in the PDP), and no Significant Natural Areas as mapped or scheduled in the PDP. There are areas of indigenous vegetation and these are identified for protection (SUB-O2).

The proposal is consistent with SUB-O3 and SUB-O4 does not apply as there are no public open spaces and no qualifying water body with a boundary to any lot of less than 4ha in area.

**SUB-P1**

*Enable boundary adjustments that: ...*

Not relevant – application is not a boundary adjustment.

**SUB-P2**

*Enable subdivision for the purpose of public works, infrastructure, reserves or access.*

Not relevant.

**SUB-P3**

*Provide for subdivision where it results in allotments that:*

- a. *are consistent with the purpose, characteristics and qualities of the zone;*
- b. *comply with the minimum allotment sizes for each zone;*
- c. *have an adequate size and appropriate shape to contain a building platform; and*
- d. *have legal and physical access.*

The subdivision results in lots that are consistent with the purpose, characteristics and qualities of the zone; that readily meet the PDP's discretionary minimum lot sizes (and controlled in terms of Lot 2); that are of an adequate size and appropriate shape to contain building platforms, and that have, or will have, legal and physical access.

**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*

The subdivision has had regard to all the matters listed, where relevant.

**SUB-P5**

*Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone....*

N/A.

**SUB-P6** *Require infrastructure to be provided in an integrated and comprehensive manner by:*

- 
- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and
  - b. ensuring that the infrastructure is provided in accordance with the purpose, characteristics and qualities of the zone.

The subdivision is rural with no nearby Council administered or operated infrastructure except for the road.

**SUB- P7**

Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying water bodies.

No qualifying water body with a boundary with a lot of less than 4ha.

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

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

The subdivision is not 'rural lifestyle' subdivision.

**SUB-P9**

Avoid subdivision [sic] rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

The subdivision is not a Management Plan subdivision and does not create lifestyle lots.

**SUB-P10**

To protect amenity and character by avoiding the subdivision of minor residential units from Principal residential units where resultant allotments do not comply with minimum allotment size and residential density.

Not relevant. No minor residential units exist.

**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:

- a. consistency with the scale, density, design and character of the environment and purpose of the zone;
- b. the location, scale and design of buildings and structures;
- 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;
- d. managing natural hazards;
- e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

No consent is required under the PDP so the above policy has little relevance. In summary I believe the proposed subdivision to be consistent with the PDP's objectives and policies in regard to subdivision.

The site is zoned Rural Production in the PDP.

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**Objectives**

**RPROZ-O1**

The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

**RPROZ-O2**

The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

**RPROZ-O3**

Land use and subdivision in the Rural Production zone:

- a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;
- b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;
- c. does not compromise the use of land for farming activities, particularly on highly productive land;
- d. does not exacerbate any natural hazards; and
- e. is able to be serviced by on-site infrastructure.

**RPROZ-O4**

The rural character and amenity associated with a rural working environment is maintained.

The subdivision does little to affect productivity. The site contains no highly productive land (as defined in the NPS HPL) (RPROZ-O1). The proposal is not a land use application (RPROZ-O2). The proposal does not create additional reverse sensitivity effects. The property is not subject to natural hazard. The lots are large and contain more than one potential house site able to be serviced by on-site infrastructure (RPROZ-O3). The subdivision does not adversely affect the rural character and amenity of the area (RPROZ-O4).

**Policies**

**RPROZP2**

Ensure the Rural Production zone provides for activities that require a rural location by:

- a. enabling primary production activities as the predominant land use;
- b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.

Primary production activities continue to be enabled, as is a range of compatible activities that might support productive use.

**RPROZP3**

Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

The proposal will not create reverse sensitivity effects on existing primary production activities either on the site or on adjacent land. Lots are 20ha or larger with ample scope to internalise future residential activities within the site.

**RPROZP4**

Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- a. a predominance of primary production activities;
- b. low density development with generally low site coverage of buildings or structures;
- c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and
- d. a diverse range of rural environments, rural character and amenity values throughout the District.

The proposal maintains rural character and amenity. The subdivision is low density and future built development can easily comply with the zone's impermeable and building coverage permitted thresholds. Reverse sensitivity effects, or lack thereof, are discussed earlier.

**RPROZP5**

Avoid land use that:

Application is not a land use. N/A.

**RPROZP6**

Avoid subdivision that:

- a. results in the loss of highly productive land for use by farming activities;
- b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
  1. the type of farming proposed; and
  2. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.
- c. provides for rural lifestyle living unless there is an environmental benefit.

The subdivision does not result in the loss of highly productive land. The lot sizes continue to be large enough to support farming activities, albeit bush areas are fenced off from stock. The proposal is not 'rural lifestyle' given that one lot is 20ha and the other is over 125ha in area.

**RPROZP7**

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:

- a. whether the proposal will increase production potential in the zone;
- b. whether the activity relies on the productive nature of the soil;
- c. consistency with the scale and character of the rural environment;
- d. location, scale and design of buildings or structures;
- e. for subdivision or non-primary production activities:
  - i. scale and compatibility with rural activities;
  - ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;
  - iii. the potential for loss of highly productive land, land sterilisation or fragmentation
- f. at zone interfaces:
  - i. any setbacks, fencing, screening or landscaping required to address potential conflicts;

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- ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
  - g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;
  - h. the adequacy of roading infrastructure to service the proposed activity;
  - i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;
  - j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

No consent is required under the PDP and the above policy is therefore of limited relevance.

The property contains Outstanding Natural Landscape (ONL).

**NFL-O1**

ONL and ONF are identified and managed to ensure their long-term protection for current and future generations.

**NFL-O2**

Land use and subdivision in ONL and ONF is consistent with and does not compromise the characteristics and qualities of that landscape or feature.

**NFL-O3**

The ancestral relationships Tangata Whenua has with the land is recognised and provided for as a part of the characteristics and qualities of ONL and ONF.

The proposal is very low density and does not compromise the characteristics and qualities of the landscape.

**NFL-P1**

Identify ONL and ONF through an assessment of the characteristics and qualities using the criteria in APP1- Mapping methods and criteria.

This policy applies to the local authority as opposed to an individual property where ONL is already identified.

**NFL-P2**

Avoid adverse effects of land use and subdivision on the characteristics and qualities of ONL and ONF within the coastal environment.

N/A

**NFL-P3**

Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of ONL and ONF outside the coastal environment.

There are no significant adverse effects as a result of this proposal.

**NFL-P4**

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Provide for farming activities within ONL and on ONF where:

- a. the use forms part of the characteristics and qualities that established the landscape or feature; and
- b. the use is consistent with, and does not compromise the characteristics and qualities of the landscape or feature.

N/A – no new farming activity being proposed.

**NFL-P5**

Provide for the use of Māori Purpose zoned land and Treaty Settlement land in ONL and ONF ...

N/A.

**NFL-P6**

Encourage the restoration and enhancement of ONL and ONF where it is consistent with the characteristics and qualities.

Given that adverse effects on outstanding landscape values will be minimal, there is no need to restore or enhance. Protection is part of the application.

**NFL-P7**

Prohibit land use that would result in any loss of and/or destruction of the characteristics and qualities of ONL and ONF.

The PDP contains no prohibited activities in regard to ONL's other than new mineral extraction activities and land fills, managed fills or clean fills. The proposal involves none of those activities.

**NFL-P8**

Manage land use and subdivision to protect ONL and ONF and address the effects of the activity requiring resource consent .....

No consent required under the PDP in regard to the ONL.

Indigenous Biodiversity objectives and policies are address below (where relevant). It should be noted that hearings on submissions to this section of the PDP have already been held, with 42A staff recommendations being to remove any and all references to "SNA's" from the objectives and policies.

**IB-O2**

Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities

**IB-P3**

Outside the coastal environment:

- a. avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas to ensure adverse effects are no more than minor; and
- b. avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects.

**IB-P5**

Ensure that the management of land use and subdivision to protect Significant Natural Areas and maintain indigenous biodiversity is done in a way that:

- a. does not impose unreasonable restrictions on existing primary production activities, particularly on highly versatile soils;
- b. recognises the operational need and functional need of some activities, including regionally significant infrastructure, to be located within Significant Natural Areas in some circumstances;
- c. allows for maintenance, use and operation of existing structures, including infrastructure; and
- d. enables Māori land to be used and developed to support the social, economic and cultural well-being of tangata whenua, including the provision of papakāinga, marae and associated residential units and infrastructure.

**IB-09**

Require landowners to manage pets and pest species, including dogs, cats, possums, rats and mustelids, to avoid risks to threatened indigenous species, including avoiding the introduction of pets and pest species into kiwi present or high-density kiwi areas.

Areas of indigenous vegetation within the Outstanding Landscape area are subject to protection. Fences to exclude stock are required to be retained. There is a ban on the keeping of mustelids. Working dogs are allowed as would be expected on such large holdings.

**8.3 Part 2 Matters****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 well-being 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.

The proposal provides for peoples' social and economic well being, and for their health and safety, while sustaining the potential of natural and physical resources, safeguarding the life-supporting capacity of air, water, soil and the ecosystems; and avoiding, remedying or mitigating adverse effects 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;
  - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
  - (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
  - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
  - (f) the protection of historic heritage from inappropriate subdivision, use, and development;
  - (g) the protection of protected customary rights;
  - (h) the management of significant risks from natural hazards.

The proposal is an appropriate subdivision and continues to protect outstanding landscape values (part (b)). It includes the protection of indigenous vegetation (part (c)). The site is not identified as having any historic heritage values and there are no areas within the site mapped as sites of significance to Maori (parts (e) and (f)). There are no significant risks from natural hazards (part (h)).

#### 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—

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

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters". These include 7(b), (c), (d), (f) and (g). Proposed layout and lot size will ensure the maintenance of amenity values and the quality of the environment. The proposal has had regard to the values of ecosystems. The subdivision does not materially affect on the productive capacity of any rural zoned land.

---

## 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 principles of the Treaty of Waitangi have been considered and it is believed that this proposed subdivision does not offend any of those principles.

In summary, it is considered that all matters under s5-8 inclusive have been adequately taken into account.

### 8.4 National Policy Statements and National Environmental Standards

#### NES Freshwater

No subdivision site works will impact on any water body.

#### NPS Highly Productive Land

There is no highly productive land within the site.

#### NES Assessing and Management Contaminants in Soil to Protect Human Health

No HAIL activity has been identified within the application site, either historic or current.

#### NPS Indigenous Biodiversity

The proposal includes the protection of indigenous vegetation. I consider the proposal to be consistent with the NPS IB.

### 8.5 Regional Policy Statement

The Regional Policy Statement for Northland (RPS) contains objectives and policies related to infrastructure and regional form and economic development. These are enabling in promoting sustainable management in a way that is attractive for business and investment. The proposal is consistent with these objectives and policies.

The RPS also contains objectives and policies protecting highly versatile soils such that productivity is not materially reduced, and ensuring that reverse sensitivity effects and potential sterilisation of such soils do not occur. There are no highly versatile soils within the application site.

**Objective**      **3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage**

*Identify and protect from inappropriate subdivision, use and development;*

*(a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;*

---

(b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;

(c) The integrity of historic heritage.

Part (b) is of relevance and the proposal includes protection of the outstanding natural landscape area. The subdivision is considered 'appropriate'.

#### **4.6.1 Managing effects on the characteristics and qualities of natural character, natural features and landscapes**

- (2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:
- a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins;
  - c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.

The proposal will have no significant adverse effects and other effects can be adequately avoided, remedied or mitigated. The subdivision has been granted previously and the application is for a re approval. The Regional Policy Statement has not been amended in the interim. Indigenous vegetation clearance is restricted by way of protective covenants. No clearance will be taking place in natural wetlands or the bed of any river or river margins.

In summary I consider the proposal to be consistent with the Regional Policy Statement for Northland.

## **9.0 s95A-E ASSESSMENT & CONSULTATION**

### **9.1 S95A Public Notification Assessment**

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Step 1 specifies when public notification is mandatory in certain circumstances. No such circumstances exist. Step 2 of s95A specifies the circumstances that preclude public notification. No such circumstance exists and Step 3 of s95A must be considered. This specifies that public notification is required in certain circumstances, neither of which exists. There are no special circumstances. In summary public notification is not required pursuant to Step 3 of s95A.

---

## 9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. None exist in this instance. Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstance exists and Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified, specifically:

- (7) *In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.*
- (8) *In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.*

The application is not for a boundary activity. The s95E assessment below concludes that there are no affected persons to be notified. There are no special circumstances.

## 9.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be no more than minor.

## 9.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity.

The activity is a controlled activity and as such an expected outcome. I have not identified any affected persons. The subdivision has been previously consented and this application is for a re-approval only, creating no additional lots to those previously consented, or significantly changing any lot sizes or access. I have not identified any affected persons in regard to adjacent properties.

The site does not contain any heritage or cultural sites and I have not considered it necessary to carry out pre lodgement consultation with tangata whenua or Heritage NZ. The proposal when consent was first issued, included bush protection. The Department of Conservation did not provide comment. I have not considered it necessary to carry out pre lodgement consultation with DoC.

## 10.0 CONCLUSION

The site is considered suitable for the proposed subdivision. The subdivision has been consented before with the second stage lapsing. This application is effectively seeking re-approval for that lapsed stage.

Effects on the wider environment are no more than minor. The proposal is not considered contrary to the relevant objectives and policies of the Operative and Proposed District Plans, and is considered to be consistent with relevant objectives and policies of National and Regional Policy Statements. Part 2 of the Resource Management Act has been had regard to.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified. No affected persons have been identified.

It is requested that the Council give favourable consideration to this application and grant consent.



Signed  
**Lynley Newport,**  
**Senior Planner**  
**Thomson Survey Ltd**

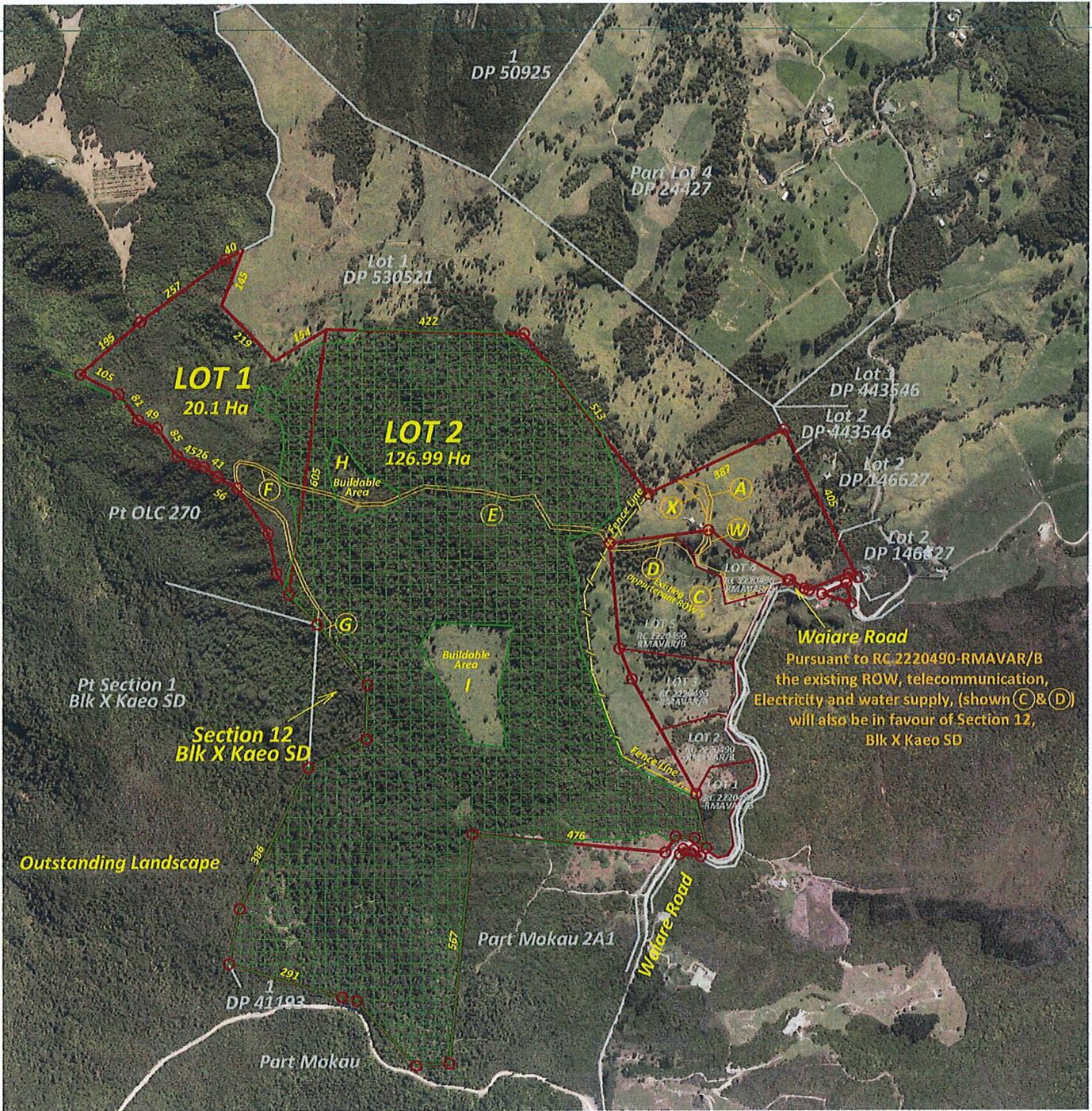
Dated 11<sup>th</sup> April 2025

## 11.0 LIST OF APPENDICES

- Appendix 1** Scheme Plan(s)
- Appendix 2** Location Plan
- Appendix 3** Record of Title & Relevant Instruments
- Appendix 4** RC 2180640-RMAVAR/B
- Appendix 5** Deposit Notice for Stage 1

# **Appendix 1**

Scheme Plan(s)



EXISTING APPURTENANT EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(C)	Part Mokau 1	C390670.6
	(C) (W)	Part Mokau 1	EI 11417279.6
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(C)	LOT 4 RC 2220490 -RMAVAR/B	RC 2220490 -RMAVAR/B
	(D)	LOT 5 RC 2220490 -RMAVAR/B	RC 2220490 -RMAVAR/B

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(A)	Lot 2 DP 530521	C390670.6
	(X)	Lot 2 DP 530521	EI 11417279.6

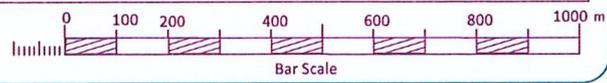
Outstanding Landscape plotted from Operative District Plan Maps

Local Authority: Far North District Council Survey Block & District: Kaeo SD  
 Total Area: 147.33 Ha  
 Comprised in: 863024  
 Zone: Rural Production

This drawing has been prepared solely for the use intended by the client stated on the plan, and must not be used for any other purpose. Thomson Survey Ltd accepts no responsibility for this plan, or any data contained on this plan, to be used for any other purpose.

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(E)	Lot 2 Hereon	Lot 1 Hereon & Sect 12 Blk X Kaeo SD
	(F)	Lot 1 Hereon	Sect 12 Blk X Kaeo SD
	(G)	Lot 2 Hereon	Sect 12 Blk X Kaeo SD

(H) and (I) are identified as Buildable Areas



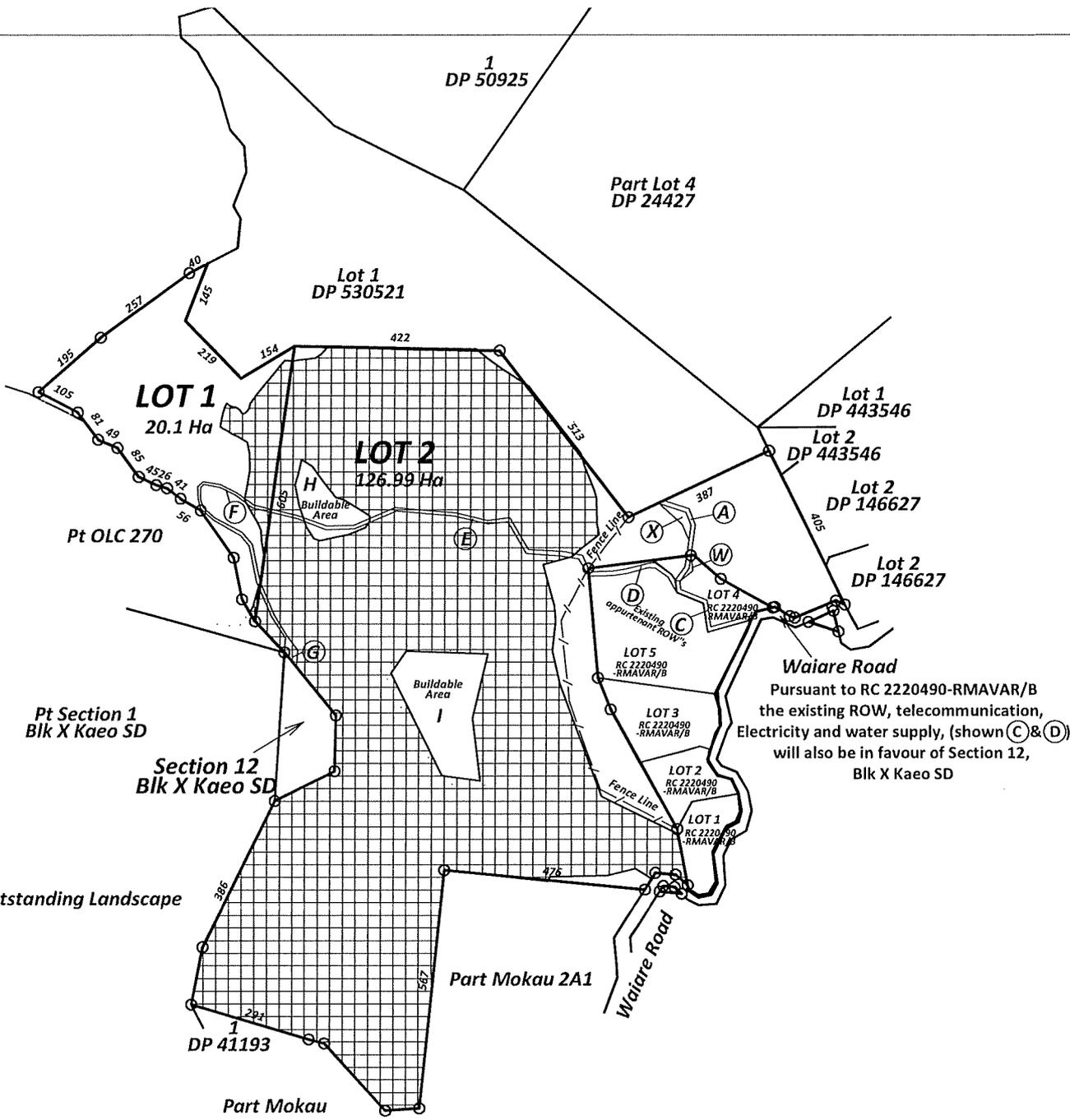
**THOMSON SURVEY**  
 315 Kerikeri Rd  
 P.O. Box 372 Kerikeri  
 Email: kerikeri@tsurvey.co.nz  
 Ph: (09) 4077360 Fax (09) 4077322  
 Registered Land Surveyors, Planners & Land Development Consultants

**PROPOSED SUBDIVISION OF LOT 2 DP 530521**  
 PREPARED FOR: J Tubbs

Survey	Name	Date	ORIGINAL SCALE SHEET SIZE
Design			
Drawn	PJH	04-04-18	1:10000 A3
Approved			
Rev	TS	19-03-25	

9279 250314 Scheme Stage 2 - Rev A.lcd

Surveyors Ref. No: **9279**  
 Series Sheet 1 of 1



EXISTING APPURTENANT EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(C)	Part Mokau 1	C390670.6
	(C) (W)	Part Mokau 1	EI 11417279.6
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(C)	LOT 4 RC 2220490 -RMAVAR/B	RC 2220490 -RMAVAR/B
	(D)	LOT 5 RC 2220490 -RMAVAR/B	RC 2220490 -RMAVAR/B

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(A)	Lot 2 DP 530521	C390670.6
	(X)	Lot 2 DP 530521	EI 11417279.6

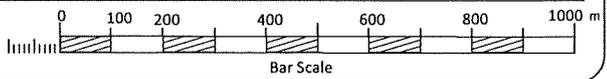
MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(E)	Lot 2 Hereon	Lot 1 Hereon & Sect 12 Blk X Kaeo SD
	(F)	Lot 1 Hereon	Sect 12 Blk X Kaeo SD
	(G)	Lot 2 Hereon	Sect 12 Blk X Kaeo SD

Outstanding Landscape plotted from Operative District Plan Maps

Local Authority: Far North District Council  
 Survey Block & District: Kaeo SD  
 Total Area: 147.33 Ha  
 Comprised in: 863024  
 Zone: Rural Production

(H) and (I) are identified as Buildable Areas

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 315 Kerikeri Rd  
 P.O. Box 372 Kerikeri  
 Email: kerikeri@tsurvey.co.nz  
 Ph: (09) 4077360 Fax (09) 4077322  
 Registered Land Surveyors, Planners & Land Development Consultants

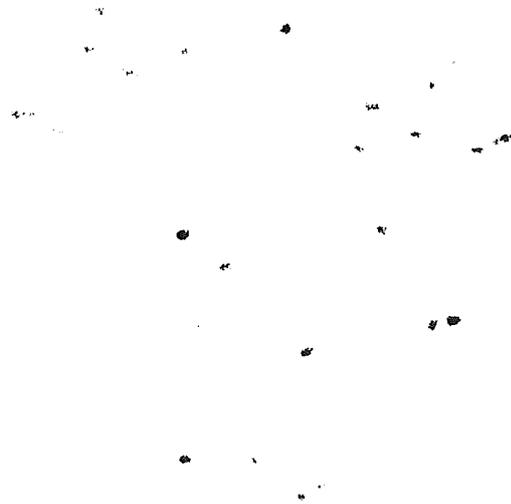
**PROPOSED SUBDIVISION OF LOT 2 DP 530521**  
 PREPARED FOR: J Tubbs

Survey	Name	Date	ORIGINAL
Design			SCALE SHEET SIZE
Drawn	PJH	04-04-18	1:10000 A3
Approved			
Rev	TS	19-03-25	
9279 250314 Scheme Stage 2 - Rev A.lcd			

Surveyors Ref. No: 9279  
 Series Sheet 1 of 1

# Appendix 2

## Location Plan





## **Appendix 3**

Record of Title &  
Relevant Instruments



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **863024**  
**Land Registration District** **North Auckland**  
**Date Issued** 25 July 2019

**Prior References**

NA1162/26 NA59B/415

---

**Estate** Fee Simple  
**Area** 147.3300 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 530521  
**Registered Owners**  
Mokau Station Limited

---

**Interests**

Subject to a right of way over part marked A on DP 530521 created by Transfer C390670.6 - 1.7.1992 at 1.55 pm  
The easements created by Transfer C390670.6 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant to part formerly Lot 1 DP 106280 are rights of way created by Transfer C390670.6 - 1.7.1992 at 1.55 pm  
10092663.1 CAVEAT BY TOP ENERGY LIMITED - 15.6.2015 at 2:09 pm  
11417279.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 25.7.2019 at 2:54 pm  
Subject to a right of way over part marked X on DP 530521 created by Easement Instrument 11417279.6 - 25.7.2019 at 2:54 pm  
Appurtenant hereto is a right of way created by Easement Instrument 11417279.6 - 25.7.2019 at 2:54 pm  
The easements created by Easement Instrument 11417279.6 are subject to Section 243 (a) Resource Management Act 1991



C390670.6 TE

Under the Land Transfer Act 1952

## Memorandum of Transfer

WHEREAS CHARLES THOMAS DOAR of Kaeo, Farmer

is being registered as proprietor

NEW ZEALAND STAMP DUTY AK2  
20/02/9100118001 NOLIABLE \*.00

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

ALL THAT piece of land described in the first schedule (the said Charles Thomas Doar being called "the first servient owner") *Balance except 105 1*

AND WHEREAS DEAN DOAR of Kaeo, Farmer is registered as proprietor of an estate in fee simple in all that piece of land shown in the second schedule (the said ~~more or less being~~ Dean Doar being called "the second servient owner") *683/209 ✓ North Auckland 1*

AND WHEREAS the lands in the first schedule and the second schedule are called the "servient tenement" and the registered proprietors thereof are called the "servient tenement owners" *678/50 + 1162/26 ✓*

AND WHEREAS the said Charles Thomas Doar is registered as proprietor of the land shown in the third schedule (called the "third schedule land") the registered proprietor thereof (called the "third schedule owner") *598/415*

AND WHEREAS MICHAEL EDWARD WALSH of Whangarei, Leading Hand and BARRY JOSEPH GOUGH of Whangarei, Builder are the registered proprietors of the land shown in the fourth schedule *1145/78 ✓ Balance*

AND WHEREAS the land shown in the fourth schedule is hereinafter called the "dominant tenement" the registered proprietors thereof being called the "dominant tenement owners"

AND WHEREAS the servient tenement owners are desirous of granting to the third schedule owner a right of way in favour of the third schedule land *598/415*

AND WHEREAS the servient tenement owners and the third schedule owner are desirous of granting to the dominant tenement owners a right of way in favour of the dominant tenement *1145/78 (LWS)*

AND WHEREAS the proposed rights of way are delineated on Deposited Plan 106280

NOW THIS TRANSFER WITNESSETH:-

THE second servient owner doth  
1. ~~THE servient tenement owners~~ do hereby grant unto the third schedule owner a right of way over and across the lands marked (A) & (B) on Deposited Plan 106280

*598/415*  
*678/50 + 1162/26* *add to lot 1 of 106280*

~~First and~~ second servient owners as to the lands owned by them  
2. THE ~~servient tenement owners~~ and the third schedule owner do hereby grant unto  
the dominant tenement owners a right of way over and across the lands marked (A) (B)  
& (C) on the said Deposited Plan 106280. 653/10, 1162/26 + 598/415 App. to CT 106280

3. THE rights of way hereby created shall run with the land.

4. THE rights of way hereby created shall be rights of way in terms of clause 1 of  
the seventh schedule to the Land Transfer Act 1952 and that clause shall be deemed  
to have been set out in full herein.

5. THE cost of maintenance and up-keep of the right of way shall be portioned  
equally by the registered proprietors for the time being of the lands in the first  
schedule, second schedule, third schedule and fourth schedule.

FIRST SCHEDULE pt Lot 1

17.8061 hectares more or less being the block situate in Block XI of the Kaeo Survey  
District called Mokau 2B1 and being all the land in Certificate of Title Volume 683  
Folio 209 North Auckland Registry (Part C) New Land 1 (New 59B/415)

SECOND SCHEDULE

133 4261.

ALL THOSE pieces of land FIRSTLY 177.1273 hectares more or less being part of Mokau  
No. 1 Block and being all the land in Certificate of Title Volume 67B Folio 50 North  
Auckland Registry (part A) or B

SECONDLY 144.9108 hectares more or less being parts of the Mokau 2A Section 2 and 2B-  
Section-2-Blocks and being all the land in Certificate of Title Volume 1162 Folio 26  
North Auckland Registry (part B) or B

THIRD SCHEDULE - Auct 1

60.0072 hectares more or less being Lot 1 Deposited Plan 106280 being all the land  
contained in Certificate of Title Volume 59B Folio 415 pt C

FOURTH SCHEDULE

AND WHEREAS MICHAEL EDWARD WALSH of Whangarei, Leading Hand and BARRY JOSEPH GOUGH  
of Whangarei, Builder are registered as proprietors in estate in fee simple in all  
that piece of land containing 1633.777 hectares more or less being part of Old Land  
Claim No. 270 (being all the land contained in Certificate of Title 1145/78 excluding  
Lot 1) and being the balance of the land shown in Certificate of Title Volume 1145  
Folio 78 North Auckland Registry (Part C) Dominant owner.

L. & D 107

Lodging a Separate Form for Each Set of Dealings

The District Land Registrar

Private Bay

Auckland

The following are produced

List of Instruments Produced by Number of C.T. Reference

Certificates of Title 1162/26 Q 67B/R5 JUN 92

(Registered Proprietor: Dear Doac)

876682

NOTE: THIS FORM MUST BE  
TYPEWRITTEN

For office use only  
Date \_\_\_\_\_  
Number \_\_\_\_\_

To enable registration of:

1. A Right of Way from \_\_\_\_\_ to \_\_\_\_\_

2. A \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

3. A \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

4. A \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

After Registration Instruments Listed Above To Be Returned To:

FOUNTAIN MANNING & CO

P O BOX 43 / DX 10303

KAITIATA

AUCKLAND  
15 JUN 1992

Received Above Instruments

For D.L.R. / /

Returned Above Instruments

For D.L.R. / /

This copy to be retained by D.L.R. with instruments

DEPARTMENT OF  
**JUSTICE**  
NEW ZEALAND

Land Registry Office

In reply, please quote

Department of Justice  
Price Waterhouse Building  
41 Federal Street  
Private Bag 92016  
Auckland  
Telephone (9)3771-499

17 June 1992

Messrs Fountain Manning & Co  
P O Box 43  
KAITAIA

COPY

Dear Sirs

... Enclosed is a photocopy of the Production Notices affecting Certificates of Title 1162/26 and 67B/50 lodged for production on 15.6.1992.

You will notice the slight difference in the numbering on this photocopy to that on the original copy which we have already sent out to you.

Could you please use the production number shown on this notice when lodging the relevant documents for registration.

We hope this will not inconvenience you in any way and we sincerely apologise for the error.

Yours faithfully

*R Albert*

R. Albert  
for District Land Registrar

Encl.

In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

said land above described

rec'd  
507823.1

rec'd  
507523.7

In witness whereof these presents have been executed this

28 day

of NOVEMBER

19 86

Signed by the above named )  
CHARLES THOMAS DOAR )

Charles Thomas Doar

in the presence of: )

Mosler J.P.

SIGNED by the )  
abovenamed DEAN DOAR )  
in the presence of: )

Dean Doar

Mosler J.P.  
Saddler  
Leigh St  
Haco.

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act.

*[Handwritten signature]*

Solicitor for the Transferee.

.....Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1982.

*[Handwritten signature]*

SOLICITOR FOR THE TRANSFEREE

.....Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

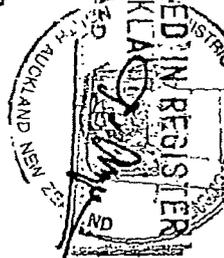
Assistant / District Land Registrar

of the District of .....

Solicitors for the Transferee

PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY AUCKLAND

1.55 01 JUL 92 C 390670-65



*67 B/SO*  
*1162/26*  
*11457 78*  
*598/415*

69



# View Instrument Details



Instrument No. 11417279.5  
Status Registered  
Date & Time Lodged 25 Jul 2019 14:54  
Lodged By Emery, Janet Anne  
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991

---

Affected Records of Title	Land District
863023	North Auckland
863024	North Auckland

---

**Annexure Schedule** Contains 4 Pages.

---

## Signature

Signed by Vanessa Joy Crosby as Territorial Authority Representative on 06/08/2019 11:42 AM

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



Private Reg 752, Papanui Ave  
Napier 4140, New Zealand  
Telephone: 0600 920 029  
Phone: 061 401 5700  
Fax: 061 401 2137  
Email: [info@fndc.govt.nz](mailto:info@fndc.govt.nz)  
Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

*Te Kaitiaki o Tai Tokerau Ki Te Raki*

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221: CONSENT NOTICE

#### REGARDING RC 2180640

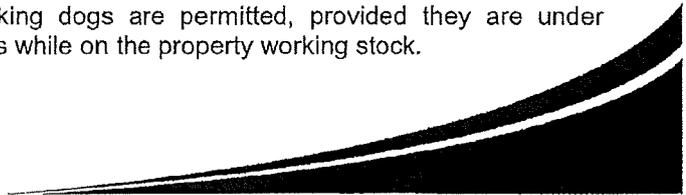
Being the Subdivision of Lot 1 DP 106280 Pt Mokau 1  
2A2, 2B2, Blk  
North Auckland Registry

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

### SCHEDULE

#### Lots 1 & 2 DP 530521

- (i) Reticulated power supply or telecommunications services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- (ii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Supply Code of Practice SNZ PAS 4509.
- (iii) The existing stock-proof fence that prevents access to PNA 04/038 Puketi to Omahuta Forest on the site from farmed animals shall be maintained to prevent and restrict browsing or any other damage.
- (iv) No occupier of, or visitor to the site, shall keep or introduce mustelids to the site. Working dogs are permitted, provided they are under control at all times while on the property working stock.





Private Bag 757, Manurewa Ave  
Waikato 0440, New Zealand  
Telephone: 0600 920 029  
Phone: (09) 401 5200  
Fax: (09) 401 2137  
Email: [enquiries@fndc.govt.nz](mailto:enquiries@fndc.govt.nz)  
Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

*Te Kaunihera o Tai Tokerau Ki Te Raki*

Lot 1 DP 530521

- (i) The owner shall preserve the indigenous vegetation and bush within the outstanding landscape area shown on the survey plan and shall not, without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

SIGNED:

A handwritten signature in black ink, appearing to read 'P.J. Killalea'.

Mr Patrick John Killalea - Authorised Officer  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority:  
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this

1<sup>st</sup> day of July

2019



Form 46

**ANNEXURE SCHEDULE - CONSENT FORM<sup>1</sup>**

(Regulation 6 Land Transfer Regulations 2018)

**Person giving consent** **Capacity and Interest of Person giving consent**  
*Surname must be underlined* *eg. Mortgagee under Mortgage no.)*

<b>TOP ENERGY LIMITED</b>	<b>CAVEATOR UNDER CAVEAT 10092663.1</b>
---------------------------	---

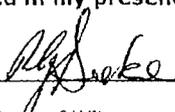
**Consent**

Delete words in [ ] if inconsistent with the consent  
 State full details of the matter for which consent is required

[Without prejudice to the rights and powers existing under the interest of the person giving consent,]  
 the **Person giving consent hereby consents** to: the deposit of LT 530521 and the registration of all subdivision documentation

Dated this 23<sup>RD</sup> day of JULY 2019

**Attestation**

<p>SIGNED BY THE CAVEATOR          BY ITS DULY APPOINTED          ATTORNEY:</p> <p>          STEVEN RICHARD JAMES.          GENERAL MANAGER          CORPORATE SERVICES</p>	<p>Signed in my presence by the Person giving consent</p> <p>          _____          Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed):  <b>Witness name</b> <u>ROSS GRAEME BAKER</u>  <b>Occupation</b> <u>PROPERTY MANAGER</u>  <b>Address</b> <u>60 KERIMORI ROAD</u>  <u>KERIMORI</u></p>
--	---

<sup>1</sup> An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required by the Land Transfer Regulations 2018 to enable registration under the Land Transfer Act 2017.

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **STEVEN RICHARD JAMES** of Kerikeri, General Manager Corporate Services hereby certify:

1. THAT by Deed dated the 24<sup>th</sup> day of February 2009 **Top Energy Limited** appointed me its attorney on the terms and subject to the conditions set out in the said deed, a copy of which is deposited in the Land Transfer Office at Auckland under No. PA8213736.10.

2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment.

SIGNED at Kerikeri this

23<sup>rd</sup>

day of

JULY

2019



.....  
S R James



# View Instrument Details



Instrument No. 11417279.6  
Status Registered  
Date & Time Lodged 25 Jul 2019 14:54  
Lodged By Emery, Janet Anne  
Instrument Type Easement Instrument

---

Affected Records of Title	Land District
863023	North Auckland
863024	North Auckland
NA67B/50	North Auckland

---

Annexure Schedule Contains 2 Pages.

---

## Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Caveator under Caveat 10092663.1 has consented to this transaction, which is subject to the Caveat, and I hold that consent

## Signature

Signed by Vanessa Joy Crosby as Grantor Representative on 25/07/2019 02:33 PM

---

## Grantee Certifications

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

## Signature

Signed by Vanessa Joy Crosby as Grantee Representative on 25/07/2019 02:33 PM

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

Form 22

**Easement instrument to grant easement or *profit à prendre***

(Section 109 Land Transfer Act 2017)

**Grantor**

**MOKAU STATION LIMITED**

**Grantee**

**MOKAU STATION LIMITED**

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

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

**Schedule A**  
*Schedule, if required*

*Continue in additional Annexure*

Purpose of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way	Marked "C" and "W" on DP 530521	Part Mokau 1 Block (RT NA67B/50)	Lots 1 and 2 DP 530521 (RT 863023 and 863024)
Right of Way	Marked "X" on DP 530521	Lot 2 DP 530521 (RT 863024)	Lot 1 DP 530521 (RT 863023)

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

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

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

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

~~[Memorandum number \_\_\_\_\_, registered under section 209 of the Land Transfer Act 2017]~~

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

## **Appendix 4**

RC 2180640-RMAVAR/B



# Far North District Council

## FAR NORTH OPERATIVE DISTRICT PLAN DECISION ON RESOURCE CONSENT APPLICATION (Section 127)

Resource Consent Number: 2180640-RMAVAR/B

Pursuant to section 127 of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

### Mokau Station Limited

#### The activity to which this decision relates:

Introduction of staging and minor change to approved survey plan.

#### Subject Site Details

Address: 2262 Waiare Road, Kaeo 0478  
Legal Description: Lot 1 DP 106280 Sec 16 Pt Sec 17 Blk XI Kaeo SD Pt  
Mokau 1 2A1 2A2 2B2 Blk  
Certificate of Title reference: NA-67B/38, NA-67B/39, NA-59B/415, NA-1162/26, NA-67B/50

#### The following changes are made to the consent conditions:

1. The proposal is to be carried out in two stages.
2. Condition 1 of 2180640 shall be amended to refer to two separate scheme plans as below;  
Stage 1 - The subdivision shall be carried out in accordance with the approved plans of subdivision prepared by Thompson Survey Ltd, referenced Proposed Subdivision of Lot 1 DP 106280, Pt Mokau 2B2 and Pt Mokau 2A2 and right of way over Part Mokau 1 (Stage 1)  
Stage 2 - The subdivision shall be carried out in accordance with the approved plans of subdivision prepared by Thompson Survey Ltd, referenced as Proposed Subdivision of Lot 2 Lt 530521 and Rights of Way Over Part Mokau 1 and Lot 2 (Stage 2).
3. Condition 2 of 2180640 shall be amended to include the requirement for a covenant pursuant to Section 240 Resource Management Act certifying that the owner(s) has/have entered into Covenant pursuant to Section 220 of the above Act to ensure that Lots 3 and 4 hereon and Part Mokau 1 cannot be transferred separately (See CSN Request 1577465)
4. Consequential amendments to lot numbers for consent notice numbering and Rights of Way.

For the purpose of clarity the amended conditions of consent are as follows:

#### Stage 1

1. The subdivision shall be carried out in accordance with the approved plans of subdivision prepared by Thompson Survey Ltd, referenced as Proposed Subdivision of Lot 1 DP 106280, Pt Mokau 2B2 and Pt Mokau 2A2 and right of way over Part Mokau 1 (Stage 1)

2. The survey plan submitted for approval pursuant to Section 223 of the Act shall show:
  - (a) All easements in the memorandum to be duly granted or reserved.
  - (b) The area of proposed Lot 1 covered by an outstanding landscape overlay. This area shall be subject to a s 221 consent notice condition for bush protection purposes.
  - (c) That Lots 3 and 4 hereon and Part Mokau 1 are subject to a covenant pursuant to Section 220 of the Resource Management Act 1991 (See CSN Request 1577465)
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the consent holder shall:
  - a) Provide to Council written confirmation from a registered surveyor that the access carriageways are fully contained within the easements provided for access.
4. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
  - (a) Provide evidence that the covenant referred to in CSN Request 1577465 has been entered into and a solicitors undertaking to register the covenant on the record of title.
  - (b) Upgrade the existing vehicle crossing to ROW Easement C to provide a double width crossing which complies with the Councils Engineering Standard FNDC/S/6 and 6C, and Section 3.3.17 of the Engineering Standard and NZS4404:2004.
  - (c) Upgrade the existing access to provide formed and metalled access on ROW easement A to 3m finished metalled carriageway width. The formation is to be crowned to shed stormwater off the carriageway and is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course. The formation is to include water table drains and culverts as required to direct and control stormwater runoff.
  - (d) Upgrade the existing access to provide formed and metalled access on ROW easement C to 3m finished metalled carriageway width with passing bays provided to comply with Rule 15.1.6C.1.3 of the Far North District Plan. The formation is to be crowned to shed stormwater off the carriageway and is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course. The formation is to include water table drains and culverts as required to direct and control stormwater.
  - (e) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

## Lots 1 and 2

- (i) Reticulated power supply or telecommunications services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- (ii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Supply Code of Practice SNZ PAS 4509.
- (iii) The existing stock-proof fence that prevents access to PNA 04/038 Puketi to Omahuta Forest on the site from farmed animals shall be maintained to prevent and restrict browsing or any other damage.
- (iv) No occupier of, or visitor to the site, shall keep or introduce mustelids to the site. Working dogs are permitted, provided they are under control at all times while on the property working stock.

## Lot 1 Only

- (v) The owner shall preserve the indigenous vegetation and bush within the outstanding landscape area shown on the survey plan and shall not, without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

## Stage 2

1. The subdivision shall be carried out in accordance with the approved plans of subdivision prepared by Thompson Survey Ltd, referenced as Proposed Subdivision of Lot 2 Lt 530521 and Rights of Way Over Part Mokau 1 and Lot 2 (Stage 2).
2. The survey plan submitted for approval pursuant to Section 223 of the Act shall show:
  - a. All easements in the memorandum to be duly granted or reserved.
  - b. The areas of proposed Lot 1 and 2 covered by an outstanding landscape overlay. These area shall be subject to a s 221 consent notice condition for bush protection purposes but may exclude any existing or proposed access.
3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
  - a. Provide formed and metalled access on ROW E and D to 3m finished metalled carriageway width. The formation is to be crowned to shed stormwater off the carriageway and is to consist of a minimum of 200mm of

compacted hard fill plus a GAP 30 or GAP 40 running course. The formation is to include water table drains and culverts as required to direct and control stormwater runoff.

- b. Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

Lot 1 and 2

- (i) The owner shall preserve the indigenous vegetation and bush within the outstanding landscape area shown on the survey plan and shall not, without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

#### **Creation of Rights of Way Pursuant to Section 348 of the Local Government Act 1974**

1. That Council, pursuant to Section 348 of the Local Government Act 1974, grants permission to the creation of rights of way over Part Mokau 1 (NA67B/50) in favour of Lots 1 and 2, shown as easements "C" "D" and "W" on the approved scheme plans (Stages 1 and 2) for RC 2180640 (VAR/B)

#### **Advice Notes**

2. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.
3. During the assessment of your application it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.

#### **Reasons for the Decision**

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed changes are no more than minor and that there are no affected persons or affected order holders.
2. There have been no changes to objectives and policies in the Operative District Plan since the original consent was issued, and the proposed changes being sought are considered to remain consistent with the existing objectives and policies in the Operative District Plan.

3. There are no relevant national planning provisions.
4. No other matters were considered relevant in making this decision
5. Part 2 Matters  
The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application for changes to consent conditions, achieves the purpose of the Act.
6. In summary it is considered that the proposed changes are consistent with the sustainable management purpose of the RMA.

#### **Approval**

This resource consent has been prepared by Louise Wilson, Team Leader Resource Consents and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



**Pat Killalea, Principal Planner**

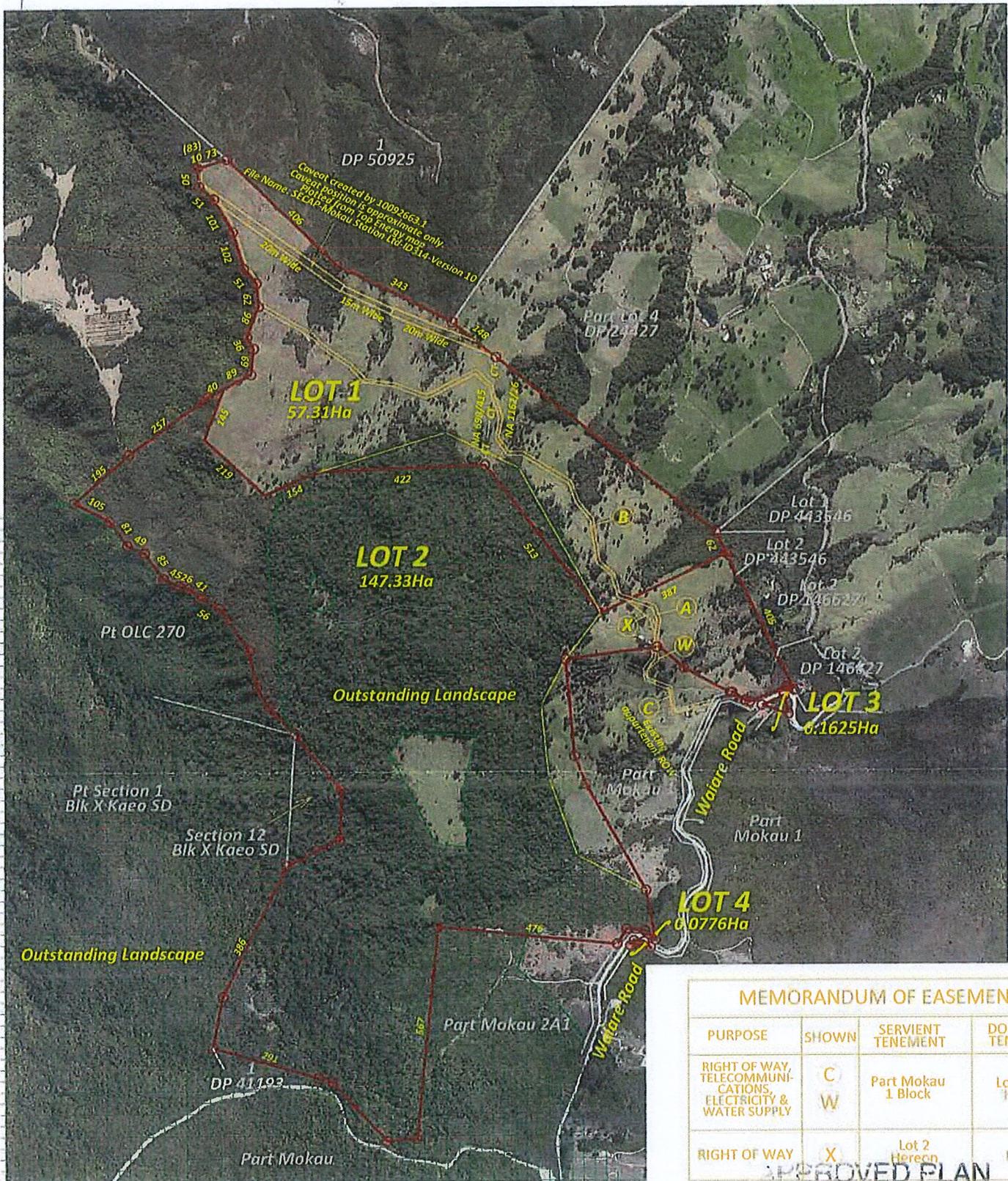
**Date: 26<sup>th</sup> March 2019**

#### **Right of Objection**

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

#### **Lapsing Of Consent**

You should note that the granting of this consent for a change or cancellation of conditions does not affect the lapsing date of the underlying consent for the proposed activity.



MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	C W	Part Mokau 1 Block	Lots 1 & 2 Hereon
RIGHT OF WAY	X	Lot 2 Hereon	Lot 1 Hereon

APPROVED PLAN

PLANNER *Lew*

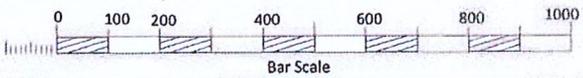
(STAGE 1)

RC. 2180640 Date 08-03-19  
UAR/B

This drawing has been prepared solely for the use intended by the client stated on the plan, and must not be used for any other purpose. Thomson Survey Ltd accepts no responsibility for this plan, or any data contained on this plan, to be used for any other purpose.

Local Authority: Far North District Council  
Survey Block & District:  
Total Area: 204.9186Ha  
Comprised in: NA1162/26, NA598/415 & NA678/50 (Right of Way)  
Zone: Rural Production

AMALGAMATION CONDITION  
That Lots 3 & 4 and Part Mokau 1 be held in the same RT



**LEGEND**  
Outstanding Landscape plotted from District Plan Maps

EXISTING EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	A B C	LOT 2 HEREON LOT 1 HEREON Part Mokau 1	C390670.6

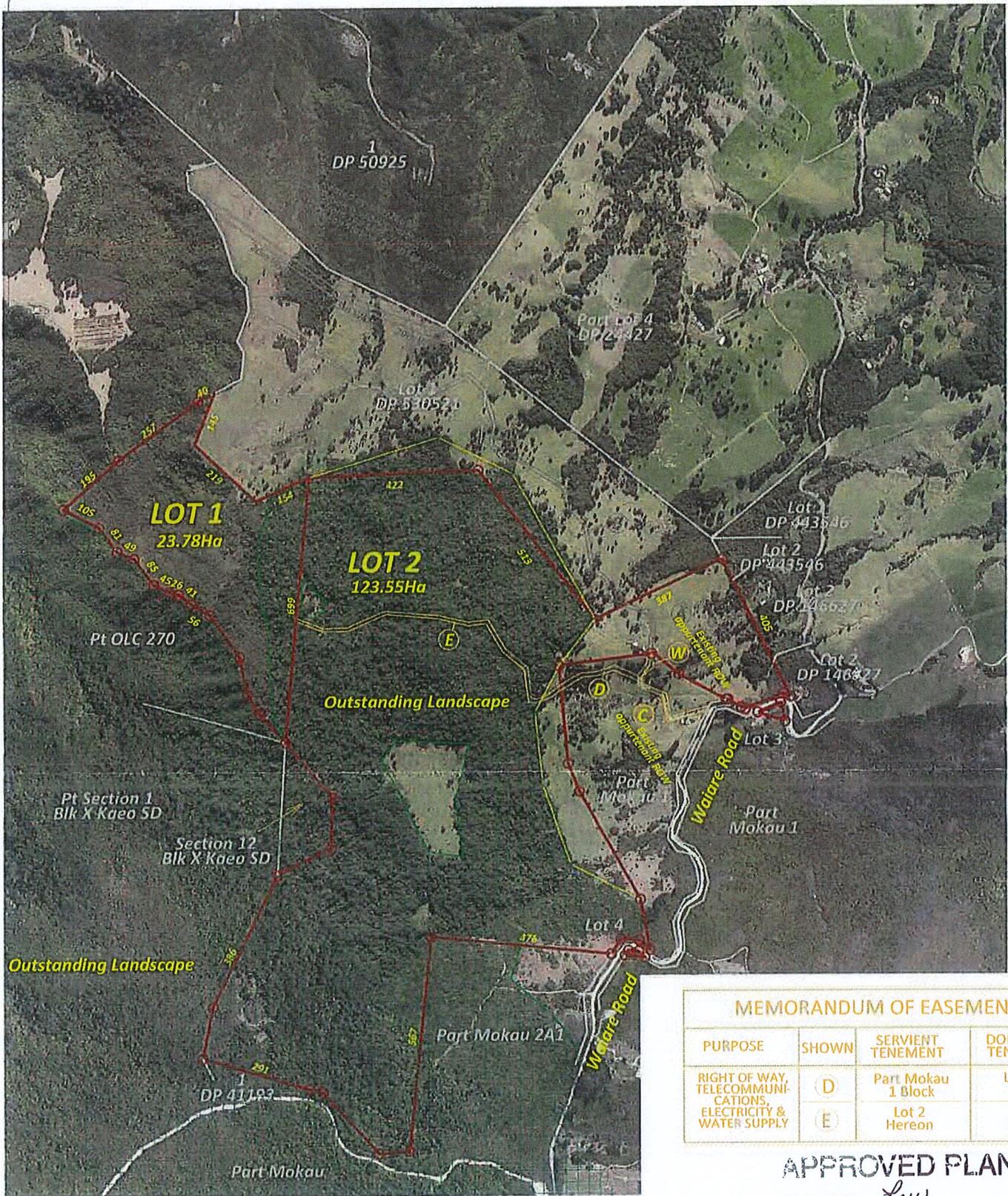
Appendix 3

**THOMSON SURVEY LIMITED**  
315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@tsurvey.co.nz  
Ph: (09) 4077360 Fax (09) 4077322  
Registered Land Surveyors, Planners & Land Development Consultants

**PROPOSED SUBDIVISION OF LOT 1 DP 106280, PT MOKAU 2B2, AND PT MOKAU 2A2 AND RIGHT OF WAY OVER PART MOKAU 1 (STAGE 1)**  
PREPARED FOR: J Tubbs

Survey	Name	Date	ORIGINAL	SHEET
Design			SCALE	SIZE
Drawn	PHJ	04-04-18	1:10000	A3
Approved				
Rev	TW	29-01-19		
9279 190129 Scheme Stage 1.lcd				

Surveyors Ref. No:  
**9279**  
Series  
Sheet 1 of 1



**MEMORANDUM OF EASEMENTS**

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	D	Part Mokau 1 Block	Lots 1&2 Hereon
	E	Lot 2 Hereon	Lot 1 Hereon

**APPROVED PLAN**

PLANNER *Law*

RC: *2120640* Date: *08.03.19*  
VAR/B

**(STAGE 2)**

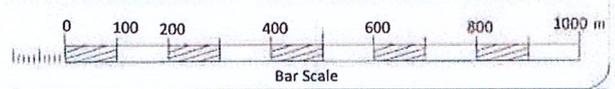
**LEGEND**  
Outstanding Landscape plotted from District Plan Maps

**EXISTING EASEMENTS**

PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	C	Part Mokau 1	C390670.6
	W	Part Mokau 1	(Stage 1)

This drawing has been prepared solely for the use intended by the client stated on the plan, and must not be used for any other purpose. Thomson Survey Ltd accepts no responsibility for this plan, or any data contained on this plan, to be used for any other purpose.

Local Authority: Far North District Council Survey Block & District:  
Total Area: 204.9186Ha  
Comprised in: NA1162/26, NA598/415 & NA678/50 (Right of Way)  
Zone: Rural Production



**THOMSON SURVEY LIMITED**  
315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@tsurvey.co.nz  
Ph: (09) 4077350 Fax: (09) 4077322  
Registered Land Surveyors, Planners & Land Development Consultants

**PROPOSED SUBDIVISION OF LOT 2 LT 530521 AND RIGHTS OF WAY OVER PART MOKAU 1 AND LOT 2 (STAGE 2)**  
PREPARED FOR: J Tubbs

Survey	Name	Date	ORIGINAL
Design			SCALE SHEET SIZE
Drawn	PJH	04-04-18	1:10000 A3
Approved			
Rev	TW	29-01-19	
9279 190129 Scheme Stage 2.lcd			

Surveyors Ref. No: **9279**  
Series Sheet 1 of 1

Appendix 4

## **Appendix 5**

Deposit Notice for Stage 1

09 August 2019

Antony Noel Worrall  
Thomson Survey Limited  
PO Box 372  
Kerikeri 0470

Survey Ref: 9279 TUBBS

Territorial Authority Ref: RC 2180640-VAR/A

**Deposit of DP 530521 North Auckland Land District**

Cadastral Survey Dataset DP 530521 of LOTS 1 - 4 BEING A SUBDIVISION OF LOT 1 DP 106280, PT MOKAU 2B2, PT MOKAU 2A2 AND EASEMENTS C AND W OVER PT MOKAU 1 BLOCK Land Registration District of North Auckland lodged by Antony Noel Worrall was deposited on 25/07/2019.

The following new Record(s) of Title have been issued:

Record of Title: 863023  
Area: 57.3810 hectares  
Legal Description: Lot 1 Deposited Plan 530521

Record of Title: 863024  
Area: 147.3300 hectares  
Legal Description: Lot 2 Deposited Plan 530521

Record of Title: 865615  
Area: 1625 square metres  
Legal Description: Lot 3 Deposited Plan 530521

Record of Title: 865616  
Area: 776 square metres  
Legal Description: Lot 4 Deposited Plan 530521

Group Manager Survey