



Office Use Only Application Number:

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 Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council’s web page.

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for (more than one circle can be ticked):

- Land Use
- Fast Track Land Use*
- Subdivision
- Discharge
- Extension of time (s.125)
- Change of conditions (s.127)
- Change of Consent Notice (s.221(3))
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) _____

***The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

3. Would you like to opt out of the Fast Track Process? Yes / **No**

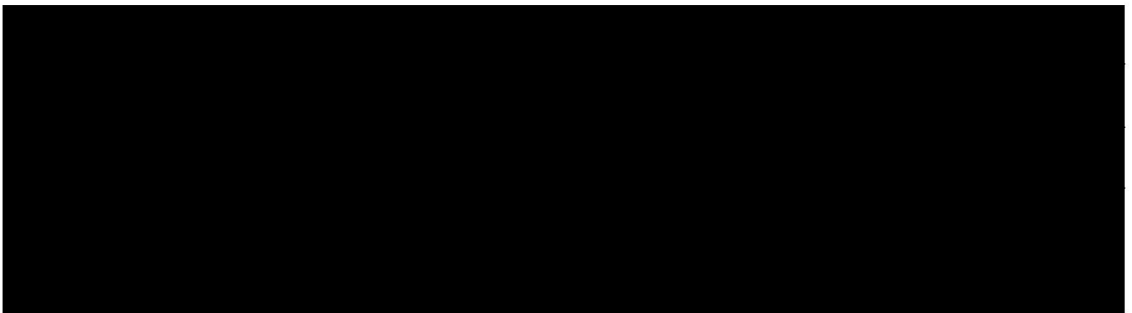
4. Applicant Details:

Name/s: Kauri Forestry LP

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address:
(or alternative method of service under section 352 of the Act)



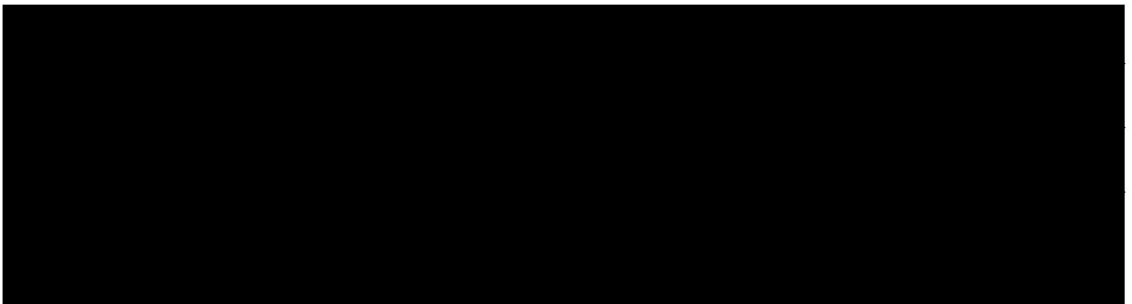
5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: David Johnson – Reyburn & Bryant

Electronic Address for Service (E-mail):

Phone Numbers:

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.

6. 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: Same as applicant

Property Address/
Location

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location:

189 and 373 Broadwood Road, Broadwood.

Legal Description: As per report Val Number: _____

Certificate of Title: As per report
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.**

8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Subdivide four titles into five lots at 189 and 373 Broadwood Road, Broadwood.

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or 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) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification

Yes/**No**

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

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

11. 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 (further information in regard to this NES is available on the Council's planning web pages):

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? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). 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

12. 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.

Please attach your AEE to this application.

13. Billing Details:

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

Name/s: (please write all names in full) Kauri Forestry LP

Email:

Postal Address:

Phone Numbers:



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

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

Name: Che Charteris (please print)

Signature:  signature of bill payer – **mandatory**)

Date: 04 September 2024

Director

14. 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. 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.

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

Name: David Johnson (please print)



Signature: _____ (signature)

Date: 04/09/2024

(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)
- 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.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

Subdivision Consent Application

KAURI FORESTRY LP

189 and 373 Broadwood Road, Broadwood

A topographic map with contour lines and a grid, rendered in light gray on a dark background, occupies the bottom half of the page.

reyburn
& bryant

PLANNERS • SURVEYORS

Subdivision Consent Application

KAURI FORESTRY LP

189 and 373 Broadwood Road, Broadwood

Report prepared for:	Kauri Forestry LP
Author	David Johnson, <i>Planner</i>
Reviewed by:	Thomas Keogh, <i>Associate</i>
Consent Authority:	Far North District Council
Report reference:	17256
Report Status:	Final
Date:	September 2024

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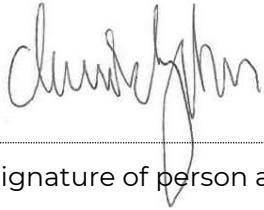
FORM 9

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To: Far North District Council
Memorial Avenue
Private Bag 752
Kaikohe 0440

1. **Kauri Forestry LP** applies for subdivision consent to subdivide four titles into five lots.
2. The location of the proposed activity is 189 and 373 Broadwood Road, Broadwood.
3. The legal descriptions are Lot 41 DP 7196 (NA1131/81), Sections 35 and 36 Blk I Mangamuka SD (NA33A/752), Pt Lot 42 DP 21843 (NA650/70), and Sections 24, 25 and 27 Blk I Mangamuka SD (NA37/20).
4. The applicant is the owner of the sites.
5. There are no other activities that are part of the proposal to which this application relates.
6. No additional resource consents or statutory approvals are needed for the activity to which this application relates that have not yet been applied for.
7. We attach an assessment of effects on the environment that:
 - (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
 - (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
 - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
8. We attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
9. We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including information required by clause 2(2) of Schedule 4 of that Act.

-
10. No other information is required to be included in the district or regional plan(s) or regulations.



Signature of person authorised to sign on behalf of applicant

David Johnson

04 September 2024

Date

Address for service:

Reyburn and Bryant 1999 Ltd
PO Box 191, Whangarei

Telephone:

(09) 438 3563

Email:

david@reyburnandbryant.co.nz

Contact person:

David Johnson

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2. Scheme plan
3. Planning maps
4. Rule assessment
5. NRC Selected Land-use Sites' database map

ABBREVIATIONS

AEE	Assessment of Environmental Effects
FNDC	Far North District Council
FNDP	Far North District Plan
HAIL	Hazardous Activities and Industries List
NES-SC	National Environmental Standard – Soil Contamination
NPS-HPL	National Policy Statement for Highly Productive Land
OFNDP	Operative Far North District Plan
PFNDP	Proposed Far North District Plan
RMA	Resource Management Act, 1991
RPZ	Rural Production Zone

1. INTRODUCTION

1.1 Report basis

This report has been prepared for Kauri Forestry LP in support of an application to subdivide four titles into five lots at 189 and 373 Broadwood Road, Broadwood.

The application has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act, 1991 (RMA). Section 88 of the RMA requires that resource consent applications be accompanied by an Assessment of Environmental Effects (AEE) in accordance with the Fourth Schedule.

The report also includes an analysis of the relevant provisions of the district, regional and national planning documents that are pertinent to the assessment and decision required under s104 of the RMA.

1.2 Proposal summary

The applicant owns 710ha of land located on Broadwood Road, Broadwood. The farm is held in seven records of title, NA33A/752, NA650/70, NA1131/81, NA942/245, NA37A/20, NA67B/600 and RT 780962. This application involves four of the titles, NA33A/752, NA650/70, NA1131/81 and NA37A/20.

The sites involved in this application are legally described as Sections 35 and 36 Blk I Mangamuka SD (NA33A/752), Pt Lot 42 DP 21843 (NA650/70), Lot 41 DP 7196 (NA1131/81) and Sections 24, 25 and 27 Blk I Mangamuka SD (NA37A/20). They are zoned 'Rural Production' (RPZ) under the Operative Far North District Plan (OFNDP). There are no Resource Areas that relate to the sites. They are also zoned RPZ in the notified Proposed Far North District Plan (PFNDP).

The proposal is to subdivide NA33A/752, NA650/70, NA1131/81 and NA37A/20 into five lots so that the applicant can sell off two existing residential units and land on the northern side of Broadwood Road that are surplus to the continuation of rural production activities on the property. Proposed Lots 1 and 2 will be created through a subdivision of NA1131/81. Proposed Lots 3 and 4 will be created by adjusting the boundaries between NA33A/752 and NA650/70. Section 27 Blk I Mangamuka SD will be amalgamated with proposed Lot 4, leaving Sections 24 and 25 Blk I Mangamuka SD as a separate title.

Overall resource consent is required as a **restricted discretionary activity** from the Far North District Council (FNDC) as the proposal complies with Rule 13.8.1 of the OFNDP.

1.3 Property details

Applicant	Kauri Forestry LP
Landowner	Kauri Forestry LP
Site location	189 and 373 Broadwood Road, Broadwood
Legal descriptions	Sections 35 and 36 Blk I Mangamuka SD (NA33A/752) Pt Lot 42 DP 21843 (NA650/70) Lot 41 DP 7196 (NA1131/81) Sections 24, 25 and 27 Blk I Mangamuka SD (NA37A/20)
Records of title	NA33A/752 NA650/70 NA1131/81 NA37A/20
Site areas	266.5443ha (NA33A/752) 6,020m ² (NA650/70) 123.4291ha (NA1131/81) 64.3196ha (NA37A/20)
District Plan	Far North District Plan (FNDP)
Operative District Plan Zone	Rural Production Zone
Proposed District Plan Zone	Rural Production Zone
District Plan Notations	N/A

Table 1: Property details.

1.4 Relevant title memorials

Sections 35 and 36 Blk I Mangamuka SD are held in a single record of title, NA33A/752. It has an appurtenant water pipeline right (Transfer B218123.1), and is subject to s8 of the Mining Act 1971 and s168A of the Coal Mines Act 1925. None of these have any relevance to this application.

Pt Lot 42 DP 21843 is held in a single record of title, NA650/70. There are no memorials registered on this title.

Lot 41 DP 7196 is held in a single record of title, NA1131/81. It has an appurtenant right to convey water (E1 9791603.1), which has no relevance to this application.

Sections 24, 25 and 27 Blk I Mangamuka SD are held in a single record of title, NA37A/20. It is subject to s59 of the Land Act 1948 and a Water Areas Acquisition

Notice under the Overseas Investment Act 2005 (12413772.1). Neither of these are relevant to this application.

The titles and associated memorials are attached in **Appendix 1**.

1.5 Over approvals required

Amalgamation condition (s220(1)(b)(iii))

It is proposed that Lot 4 hereon and Section 27 Blk I Mangamuka SD be held in the same record of title. This amalgamation is necessary to ensure that adjusting the boundaries between NA33A/752 and NA37A/20 will not create any additional titles. The detail of the necessary amalgamation is set out on the scheme plan.

No amalgamation condition is proposed for Sections 24 and 25 Blk I Mangamuka SD as these allotments will remain together as residual areas of NA37A/20.

No other approvals are required to give effect to the proposal.

1.6 Processing requests

Prior to the issue of any decision for this consent, please forward the draft conditions for our review and comment.

1.7 Statutory context

Section 104C of the RMA is associated with determining applications for restricted discretionary activities and sets out the consent authority's obligations.

Section 104(1) of the RMA sets out the matters that a consent authority must, subject to Part 2, have regard to when considering all applications for resource consent.

This report focuses on the relevant matters in s104(1), and specifically:

- The actual and potential environmental effects (s104(1)(a)).
- The relevant provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NES-SC) (s104(1)(b)(i)).
- The relevant provisions of the National Policy Statement for Highly Productive Land (NPS-HPL) (s104(1)(b)(iii)).
- The relevant provisions of the FNDP (s104(1)(b)(vi)).

2. THE SITES AND SURROUNDING ENVIRONMENT

2.1 The sites

Location

The sites are located on Broadwood Road, which links the Mangamuka township with Ahipara.

The sites are shown in **Figure 1** below. NA33A/752 is shown in red, NA650/70 is shown in yellow, NA1131/81 is shown in blue, and NA37A/20 is shown in purple.

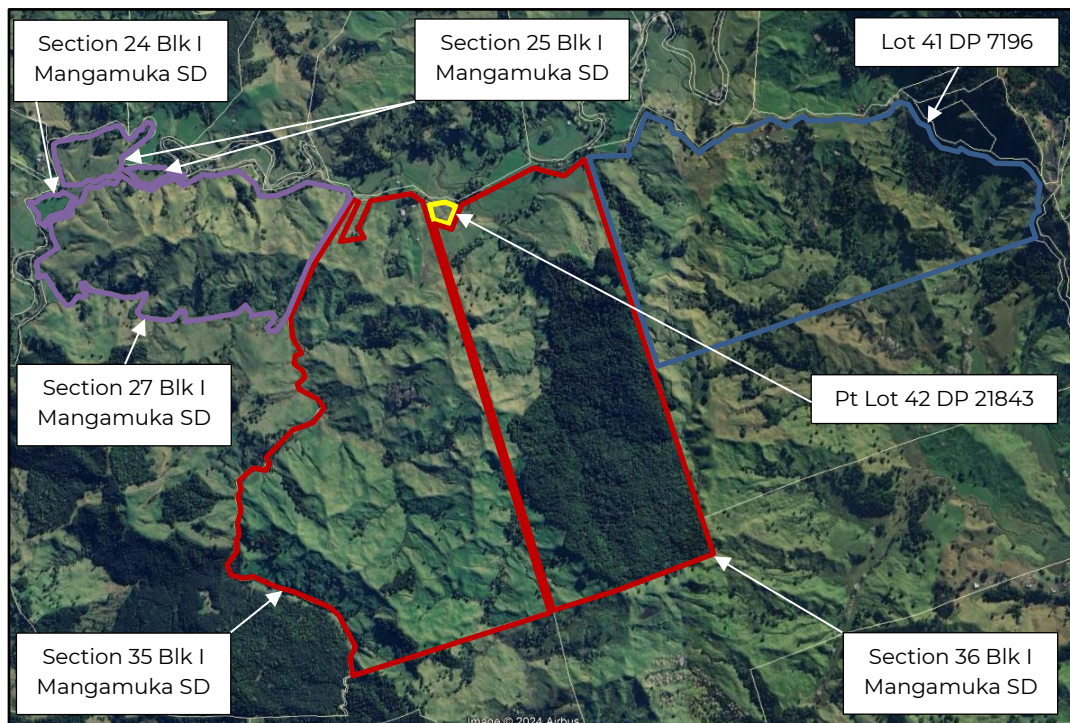


Figure 1: Location map (Source: Quickmap).

Built development

Section 35 Blk I Mangamuka SD and Lot 41 DP 7196 contain existing residential units and a number of farming related accessory buildings.

The other sites are vacant.

Access

The existing residential units have direct access to Broadwood Road via separate vehicle crossings. The crossings are identified in **Figures 2** and **3** on the following page.



Figure 2: Lot 41 DP 7196 vehicle crossing (Source: Google Streetview).



Figure 3: Section 35 Blk I Mangamuka SD vehicle crossing (Source: Google Streetview).

Topography

The sites have an undulating topography, rising from Broadwood Road at RL100m to RL220m on the southern boundary of Section 36 Blk I Mangamuka SD.

There are several ridgelines in the eastern and western portions of the property. A gully runs north-south through Section 36 Blk I Mangamuka SD.

Vegetation

The sites were recently planted in pines. There are also scattered areas of pasture.

Soil composition

Under the Land Use Capability (LUC) system the soils across the site are Class 3, 4, 6 and 7 soils (see **Figure 4** below). Class 3 soils (dark green below) are considered highly productive land under the NPS-HPL.

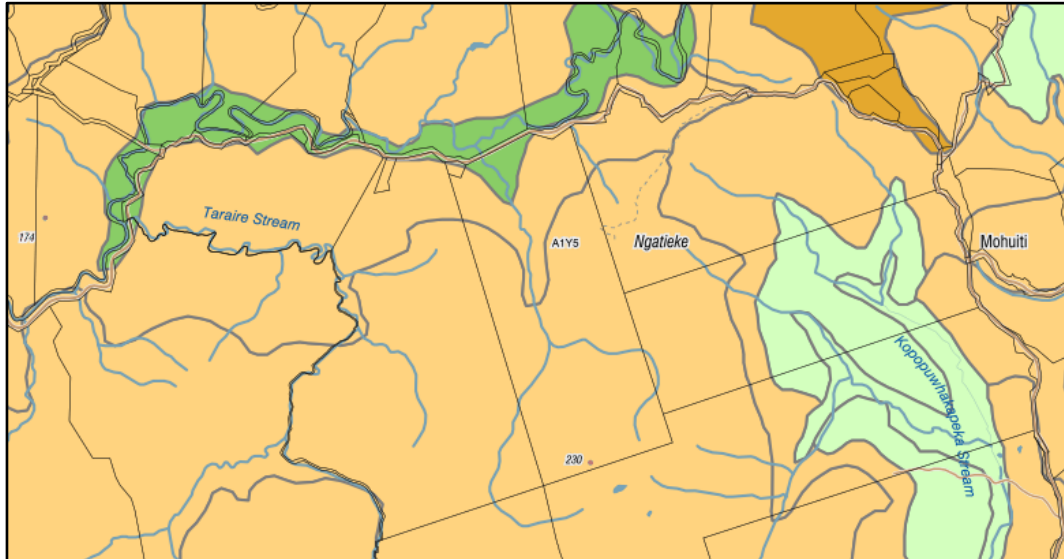


Figure 4: Land use capability (Source: Manaaki Whenua Landcare Research).

2.2 Surrounding environment

The surrounding environment is rural. The landscape is characterised by large open areas of pasture and intermittent stands of native and exotic vegetation. The allotments are used for a range of general rural purposes, and there is generally a low density of residential built form.

There are also a number of smaller rural-residential type allotments scattered throughout the surrounding environment. The smaller allotments vary in size and are typically clustered together or are located near road boundaries.

3. THE PROPOSAL

3.1 General

The proposal is to subdivide NA33A/752, NA650/70, NA1131/81 and NA37A/20 into five lots. Proposed Lots 1 and 2 will be created through a subdivision of NA1131/81, while proposed Lots 3 and 4 will be created by a boundary adjustment between NA33A/752 and NA650/70. Section 27 Blk I Mangamuka SD will be amalgamated with proposed Lot 4, leaving Sections 24 and 25 Blk I Mangamuka SD as a separate title.

The proposed lot configuration is shown on the scheme plan attached in **Appendix 2** and is summarised as follows:

Lot number	Area	Comments
Lot 1	3.8605ha	This contains the existing residential unit on NA1131/81.
Lot 2	119.5686ha	This contains the balance farmland of NA1131/81.
Lot 3	2.0295ha	This contains the existing residential unit on NA33A/752.
Lot 4 and Section 27 Blk I Mangamuka SD (amalgamated)	321.2669ha	This contains the balance farmland of NA33A/752 and NA650/70, and the land from NA37A/20 on the southern side of Broadwood Road.
Sections 24 and 25 Blk I Mangamuka SD (amalgamated)	8.1695ha	This contains the land from NA37A/20 on the northern side of Broadwood Road.

Table 2: Proposed allotment details.

The areas shown above are approximate and are subject to final survey.

3.2 Site suitability

Proposed Lots 1 and 3 contain existing residential units.

Proposed Lot 2 can already accommodate a residential unit as a permitted activity (within NA1131/81), as can proposed Lot 4 and Section 27 Blk I Mangamuka SD ('the balance site') (within NA33A/752). No site suitability report is required.

Sections 24 and 25 Blk I Mangamuka SD ('the amalgamated site') is not subject to slope instability, and does not contain a flood hazard on the Northland Regional Council Flood Hazard maps. Therefore, a residential unit can be constructed on it free of any hazards. No site suitability report is required.

3.3 Access

Proposed Lots 1 and 2 will gain access over the existing vehicle crossing associated with Lot 41 DP 7196. A right of way ('A' on the scheme plan) will provide access over the existing accessway within proposed Lot 1 to proposed Lot 2. No upgrades are proposed.

Proposed Lot 3 and the balance site will gain access over the existing vehicle crossing associated with Section 35 Blk I Mangamuka SD. A right of way ('B' on the scheme plan) will provide access over the existing accessway within proposed Lot 3 to the balance site. No upgrades are proposed.

The amalgamated site has direct frontage to Broadwood Road. While there are several paddock entrances, no vehicle crossings have been formed. It will be provided with a separate vehicle crossing to Broadwood Road at building consent stage in accordance with the relevant FNDC Engineering Standards, and according to the final location and orientation of a future residential unit.

3.4 Servicing

No changes are proposed to the existing wastewater, stormwater, or water supply arrangements associated with the existing residential units on proposed Lots 1 and 3.

As there is no Council reticulation in this location, any future residential units on proposed Lot 2, the balance site and the amalgamated site will be provided with on-site wastewater, stormwater, and water supply systems. These arrangements will be established by future owners at the time of applying for building consent.

Firefighting water supplies will be provided on-site in accordance with the Fire Fighting Water Supplies Code of Practice 4509:2008, or as otherwise agreed to by Fire and Emergency New Zealand.

3.5 Electricity and telecommunications

The existing residential units on proposed Lots 1 and 3 have existing electricity and telecommunications arrangements.

Proposed Lot, 2 the balance site and the amalgamated site are capable of being provided with electricity and telecommunications connections. No new electricity connections or hard-wired telecommunications connections will be provided as part of this application.

4. RULE ASSESSMENT

4.1 Relevant planning notations

The sites are zoned RPZ under the OFNDP. There are no Resource Areas that relate to the sites.

The sites are also zoned RPZ in the notified PFNDP.

The relevant planning maps are attached in **Appendix 3**

4.2 OFNDP rule assessment

Resource consent is required in accordance with the following rule of the OFNDP:

- Rule 13.8.1 – The proposed subdivision complies with the criteria under Rule 13.8.1(b) as NA33A/752, NA650/70, NA1131/81 and NA37A/20 were all created prior to 28 April 2000, only one additional title is proposed, and the proposed lots have net site areas in excess of either 4,000m² (proposed Lots 1, 3 and the amalgamated site) or 4ha (proposed Lot 2 and the balance site). It is therefore a **restricted discretionary activity** under Rule 13.8.1(b). Council have restricted their discretion under this rule to the following matters:
 - *Effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;*
 - *Effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;*
 - *Effects on areas of significant indigenous flora and significant habitats of indigenous fauna;*
 - *The mitigation of fire hazards for health and safety of residents.*

The proposal complies with the other relevant rules set out in 13.7.2.2 to 13.7.2.9 and 13.7.3.

A full assessment of the OFNDP rules is attached in **Appendix 4**.

Overall, the proposal is a **restricted discretionary activity**.

4.3 PFNDP rule assessment

The PFNDP was publicly notified on 27 July 2022. The submission period closed on 21 October 2022, and the further submission period closed on 4 September 2023. In accordance with s86B(3) of the RMA, the rules that would ordinarily apply to this proposal do not currently have legal effect. The proposal therefore does not require resource consent under the PFNDP.

For completeness, an assessment has been made with respect to the rules of the PFNDP, and this is attached in **Appendix 4**. If these rules were to have legal effect, the proposal would be a **non-complying activity** due to the size of proposed Lots 1, 3 and the amalgamated site being less than 40ha.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1 Existing environment

Section 104(1)(a) of the RMA requires a consideration of any actual and potential effects on the environment of allowing an activity. The existing environment has been described in Section 2 of this report. It includes the existing residential units on NA33A/752 and NA1131/81.

5.2 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard an adverse effect of an activity on the environment if a plan permits an activity with that effect. This is commonly referred to as the permitted baseline.

While there is no permitted baseline for subdivision, the land use provisions of the RPZ permit the construction of one residential unit per 12ha of land, provided that a single residential unit can be constructed on a site of any size.

The applicant is able to construct 38 residential units across the four titles, 22 on NA33A/752, 1 on NA650/70, 10 on NA1131/81 and 5 on NA37A/20. The effects associated with this permitted development should be disregarded with respect to the consideration of environmental effects associated with the proposed subdivision.

5.3 Matters of discretion

The matters of discretion are identified in Section 4.2 of this report. In this regard, the subject sites are not located within the coastal environment, do not contain any areas of significant indigenous flora or significant habitats of indigenous fauna, and will be provided with fire-fighting water supply as detailed in Section 3.4 of this report. However, there is a parcel of land (Section 45 SO 65129) located 200m south of Section 35 Blk I Mangamuka SD that is administered by the Department of Conservation (DOC).

Proposed Lots 1, 3 and the amalgamated site are more than 2km from Section 45 SO 65129. The land between Section 45 SO 65129 and these lots will be retained within proposed Lot 2 and the balance site as productive land. No physical changes are proposed. Accordingly, no effects on DOC's ability to manage and administer Section 45 SO 65129 are anticipated.

Notwithstanding the above, the following effects assessment is provided for completeness.

5.4 Amenity values and landscape character

The proposed lots have been designed to be consistent with Rule 13.8.1(b) of the OFNDP by creating three smaller lots whilst preserving the majority of the parent titles in two large productive titles. Proposed Lots 1, 3 and the amalgamated site (the smaller lots) all have sizes in excess of 4,000m², whilst proposed Lot 2 and the balance site have sizes in excess of 100ha. Accordingly, the density and size of these lots is anticipated by the OFNDP.

The subdivision will create an additional title from NA1131/81, proposed Lot 1. However, there will be no perceptual change as proposed Lot 1 contains an existing residential unit, and the remainder of NA1131/81 will be held in a single productive title, proposed Lot 2.

The other three titles will be created by adjusting the boundaries between NA33A/752, NA650/70 and NA37A/20. The smaller title (NA650/70) will be shifted around the existing residential unit, avoiding fragmentation of the farmland. The other two titles will be adjusted to provide a separate title for land on the northern side of Broadwood Road, which is physically separated from the rest of the property. It is large enough that productive activities such as livestock grazing and calf rearing remain viable.

The permitted baseline is also relevant. Specifically, the subdivision retains the same number of potential residential units as is currently permitted on the existing titles. No new locations for residential units are proposed. The intensity of the development will be the same as the existing situation, and the proposed lot sizes will be more appropriate to this rural environment.

Overall, the adverse effects on amenity values and landscape character will be less than minor.

5.5 Access effects

The access arrangements for the proposed lots are described in Section 3.3 of this report.

Proposed Lots 1 – 3 and the balance site will utilise existing vehicle crossings and accesses. The existing formations of the existing vehicle crossings and rights of way 'A' and 'B' are of an appropriate standard for the number of users proposed.

The amalgamated site will be provided with a new vehicle crossing at the building consent stage. It will be constructed in accordance with the requirements of the FNDC Engineering Standards.

Overall, any adverse effects associated with the proposed access arrangements will be less than minor.

5.6 Servicing effects

As stated elsewhere in this report, proposed Lots 1 and 3 will retain the existing wastewater, stormwater and water supply arrangements associated with the existing residential units, while proposed Lots 2, the balance site and the amalgamated site are large enough to accommodate on-site servicing without creating any reverse senility effects on neighbouring properties. Accordingly, the adverse effects associated with the servicing arrangements will be less than minor.

5.7 Adverse effects conclusion

Overall, the adverse effects associated with this proposal will be less than minor when considered in the context of the existing environment and the permitted baseline.

6. PLANNING ASSESSMENT

6.1 OFNDP objectives and policies assessment

Context

The objectives and policies of the OFNDP are zone specific. There are also other provisions that relate to district wide matters. Given the nature of this application, this assessment considers the objectives and policies in Chapter 8 ‘Rural Environment’, Chapter 13 ‘Subdivision’ and Chapter 15 ‘Transportation’.

Assessment

The relevant objectives and policies of the OFNDP are assessed below.

Chapter 8 – Rural Environment

The relevant objectives and policies of Chapter 8 are assessed below.

Objective 8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment

Objective 8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

Objective 8.3.9 To enable rural production activities to be undertaken in the rural environment.

Objective 8.3.10 To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.

Objective 8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.

Objective 8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

Objective 8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

Objective 8.6.3.9 To enable rural production activities to be undertaken in the zone.

Policy 8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.

Policy 8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.

Policy 8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the

environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.

Policy 8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

Proposed Lots 1 and 3 contain existing residential units and are of a sufficient size to enable a continuation of small-scale productive activities. The boundary adjustment will increase the size of the small title (NA650/70) from 6,020m² to 2.0295ha, reducing its degree of non-compliance and enhancing its productive capability. Proposed Lot 2 and the balance site will continue to be used for productive purposes in conjunction with other titles owned by the applicant. The amalgamated site is large enough for productive activities such as livestock grazing and calf rearing to remain viable. This ensures that the efficient use and sustainable management of the land is achieved.¹

The proposal creates rural-residential lots around the existing residential units (proposed Lots 1 and 3). Any future residential units on proposed Lot 2, the balance site and the amalgamated site align with the permitted baseline. This ensures that a low density of built form will be maintained, consistent with the rural character and amenity of the surrounding environment.²

Proposed Lots 1 and 3 will continue to rely on existing on-site services associated with the existing residential units, while proposed Lot 2, the balance site and the amalgamated site are large enough for them to accommodate on-site servicing.³

Chapter 13 – Subdivision

The relevant objectives and policies of Chapter 13 are assessed below.

Objective 13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.

Objective 13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.

¹ Objectives 8.3.6, 8.3.9, 8.6.3.2, 8.6.3.6, 8.6.3.9 and Policy 8.6.4.1

² Objective 8.3.7, 8.3.10, 8.6.3.3, and Policies 8.4.4 and 8.6.4.4

³ Policy 8.4.3

Objective 13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

Objective 13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

Policy 13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

- (a) natural character, particularly of the coastal environment;
- (b) ecological values;
- (c) landscape values;
- (d) amenity values;
- (e) cultural values;
- (f) heritage values; and
- (g) existing land uses.

Policy 13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

Policy 13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

Policy 13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

The proposed lots are consistent with the purpose of the RPZ as addressed in the comments on the objectives and policies of Chapter 8 above. The adverse effects associated with the proposal will be less than minor as detailed in Section 5 of this report.⁴

Proposed Lots 1 and 3 will continue to rely on existing on-site services associated with the existing residential units, while proposed Lot 2, the balance site and the amalgamated site have site areas well in excess of 20ha and are therefore of an adequate size to accommodate on-site servicing.⁵

The proposed lots have or are capable of being provided with electricity connections.⁶

The proposed lots will be provided with safe and efficient access as they will continue to use the existing vehicle crossings and accesses, which are appropriate for the number of users proposed.⁷

⁴ Objective 13.3.1 and Policy 13.4.1

⁵ Objectives 13.3.2, 13.3.5 and Policy 13.4.8

⁶ Objective 13.3.8

⁷ Objective 13.3.2 and Policies 13.4.2 and 13.4.5

Chapter 15 – Transportation

The relevant objectives and policies of Chapter 15 are assessed below.

Objective 15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.

Objective 15.1.3.4 To ensure that appropriate and efficient provision is made for loading and access for activities.

Policy 15.1.4.4 That the traffic effects of activities be evaluated in making decisions on resource consent applications.

Policy 15.1.4.6 That the number, size, gradient and placement of vehicle access points be regulated to assist traffic safety and control, taking into consideration the requirements of both the New Zealand Transport Agency and the Far North District Council.

As detailed in Section 5.5 of this report, proposed Lots 1 – 3 and the balance site will continue to use the existing vehicle crossings and accesses, which are appropriate for the number of users proposed. The amalgamated site will be provided with a new vehicle crossing at building consent stage. It will be constructed in accordance with the requirements of the FNDC Engineering Standards. The proposal is therefore consistent with the objectives and policies of Chapter 15.

Conclusion

Overall, the proposal is consistent with the objectives and policies of the OFNDP.

6.2 PFNDP objectives and policies assessment

Context

The PFNDP was publicly notified on 27 July 2022. The submission period closed on 21 October 2022, and the further submission period closed on 4 September 2023. Given the early stages of the process and pursuant to s86B(1)(c) of the RMA, the rules of the Plan Changes do not have legal effect (except for those specifically identified). Nevertheless, an assessment to determine the activity status that this proposal would have under the PFNDP provisions has been made in Section 4.3 of this report. While the majority of the rules do not have legal effect, the objectives and policies are a relevant consideration under s104(1)(b)(vi) of the RMA.

Assessment

The sites are proposed to be rezoned RPZ under the PFNDP. Generally, the objectives and policies of the RPZ provide for subdivision where it maintains rural character and amenity without compromising the use of the land for

primary production activities.⁸ In this case, proposed Lots 1 and 3 contain existing residential units, while the balance farmland will be retained in three large titles (proposed Lot 2, the balance site and the amalgamated site). There will be no discernible change from the existing situation.

The objectives and policies of the Transport Chapter seek to ensure that all new lots created through a subdivision have suitable access.⁹ As detailed in Section 5.5 of this report, proposed Lots 1 – 3 and the balance site will be provided with access over the existing vehicle crossings and accesses. The existing formations are of an appropriate standard for the number of users proposed. The amalgamated site will be provided with a new vehicle crossing at building consent stage in accordance with the FNDC Engineering Standards. Accordingly, the proposed subdivision does not adversely affect the safety or efficiency of the transport network.

The objectives and policies of the Subdivision Chapter seek to ensure subdivisions are in accordance with the provisions of the underlying zone, and are appropriately serviced and integrated with the surrounding environment.¹⁰ The proposed lots are consistent with the purpose of the RPZ as addressed above, and will be appropriately accessed and serviced as detailed in Sections 5.5 and 5.6 of this report.

Given the specific characteristics of the site, the proposed subdivision is consistent with the objectives and policies of the PFNDP.

6.3 District Plan weighting

With regards to weighting, the plan changes are in the early stages, with submissions and further submissions having closed (on 21 October 2022 and 4 September 2023 respectively). Little weight should therefore be applied to the PFNDP when considering the application under s104(1) of the RMA.

6.4 NES–SC

All applications that involve subdivision, an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the NES-SC. The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and

⁸ RPZ-O3, O4, P4, P6 and P7.

⁹ TRAN-O5 and P8

¹⁰ SUB-O1, O3, O4, P3 – P6, P10 and P11.

the risk that this may pose to human health as a result of the proposed subdivision.

A review of aerial photographs and the Northland Regional Council 'selected land-use sites' database was undertaken, which confirmed that no HAIL activities are present or have ever taken place on the subject 'piece of land' - refer to the map attached in **Appendix 5**. Accordingly, the NES-SC does not apply to this application.

6.5 NPS-HPL

The NPS-HPL came into effect on 17 October 2022. The overarching objective of the document is to protect highly productive land for use in land-based production, both now and for future generations.

Clause 3.5(7) of the NPS-HPL requires all consenting authorities to apply the NPS-HPL where highly productive land is any land that is zoned Rural Production and has a soil classification of Classes 1 – 3.

The sites are zoned Rural Production. As per Section 2.1 of this report, the subject land has a mix of Class 3, 4, 6 and 7 soils. The areas of the sites that have Class 3 soils are considered highly productive land under the NPS-HPL.

However, the ability of FNDC to have regard to the relevant provisions of the NPS-HPL under s104(1)(b)(iii) is limited to the matters over which they have restricted their discretion under Rule 13.8.1 of the FNDC. These matters are listed in Section 4.2 of this report. None of them relate to productive rural values or any other matters covered by the NPS-HPL.

Given the above, the NPS-HPL is not a relevant consideration for the proposed subdivision.

6.6 Part 2 assessment

An assessment of Part 2 matters is not required unless there are issues of invalidity, incomplete coverage, or uncertainty in the planning provisions.¹¹ In this case, there is no invalidity, incomplete coverage, or uncertainty amongst the various documents. In that regard, no assessment of the application is required under Part 2. However, for completeness, the proposal accords with the purpose of the RMA for the following reasons:

¹¹ *R J Davidson Family Trust the Marlborough District Council* [2018] NZCA 316

1. The proposal is consistent with the existing amenity values and character associated with the subject sites and surrounding environment, will not adversely impact the productive capacity associated with the sites or surrounding environment, and is consistent with the expectations for the zone (permitted baseline).
2. Any adverse effects will be less than minor.
3. The proposal will not increase the risk associated with natural hazards.
4. There are no adverse effects on human health associated with the proposal.

The proposal does not offend any matters of national importance in Section 6, or any of the other matters set out in Section 7 and 8 of the RMA.

7. NOTIFICATION

Pursuant to sections 95A and 95B of the RMA, Section 5 of this report concludes that any adverse effects associated with the proposal will be less than minor. Furthermore, there are no special circumstances associated with the application, the applicant has not requested notification, and there is no rule or national environmental standard that requires notification of this application. Consequentially, public notification is not necessary.

The assessment of environmental effects in Section 5 of this report confirms that no parties are adversely affected by the proposal. Consequentially, limited notification is not necessary.

Having considered the above, the proposal can proceed on a **non-notified** basis.

8. CONCLUSION

The proposal is to subdivide NA33A/752, NA650/70, NA1131/81 and NA37A/20 into five lots at 189 and 373 Broadwood Road, Broadwood. This will allow the applicant to sell off two existing residential units and the land on the northern side of Broadwood Road that is surplus to the continuation of rural production activities on the property.

The environmental effects of the proposal have been assessed in Section 5 of this report. Proposed Lots 1 and 3 contain existing residential units, with the boundaries aligning with existing fences and curtilage areas. The amalgamated site is separate from the rest of the property by Broadwood Road. The larger lots (proposed Lot 2 and the balance site) are well in excess of 20ha, and any future residential development on them falls within the permitted baseline. Overall, the effects have been determined to be less than minor. Consequently, appropriate regard has been given to s104(1)(a) of the RMA.

The proposal is consistent with the objectives and policies of the RPZ and the district wide Transportation and Subdivision Chapters of the OFNDP. It is also consistent with the objectives and policies of the RPZ, Transport and Subdivision Chapters of the PFNDP. Section 6.3 of this report confirms that the NES-SC regulations are not relevant to this application, while Section 6.4 confirms that the NPS-HPL is not a relevant consideration for the proposed subdivision. Accordingly, appropriate regard has been given to s104(1)(b)(i), s104(1)(b)(iii) and s104(1)(b)(vi) of the RMA.

Having regard to the relevant matters in s104(1) and s104C of the RMA, the proposal can be approved subject to appropriate conditions of consent.

APPENDIX 1

RECORDS OF TITLE AND ASSOCIATED MEMORIALS



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




R. W. Muir
Registrar-General
of Land

Identifier NA1131/81
Land Registration District North Auckland
Date Issued 15 April 1955

Prior References
NAPR209/58

Estate Fee Simple
Area 123.4291 hectares more or less
Legal Description Lot 41 Deposited Plan 7196
Registered Owners
Kauri Forestry LP

Interests

Saving and excepting all minerals within the meaning of the Land Act 1924 on or under the land and reserving always to Her Majesty the Queen and all persons lawfully entitled to work the said land a right of ingress egress and regress over the said land

Appurtenant hereto is a right to convey water created by Easement Instrument 9791603.1 - 17.9.2014 at 1:23 pm
13072885.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.7.2024 at 5:02 pm



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




R. W. Muir
Registrar-General
of Land

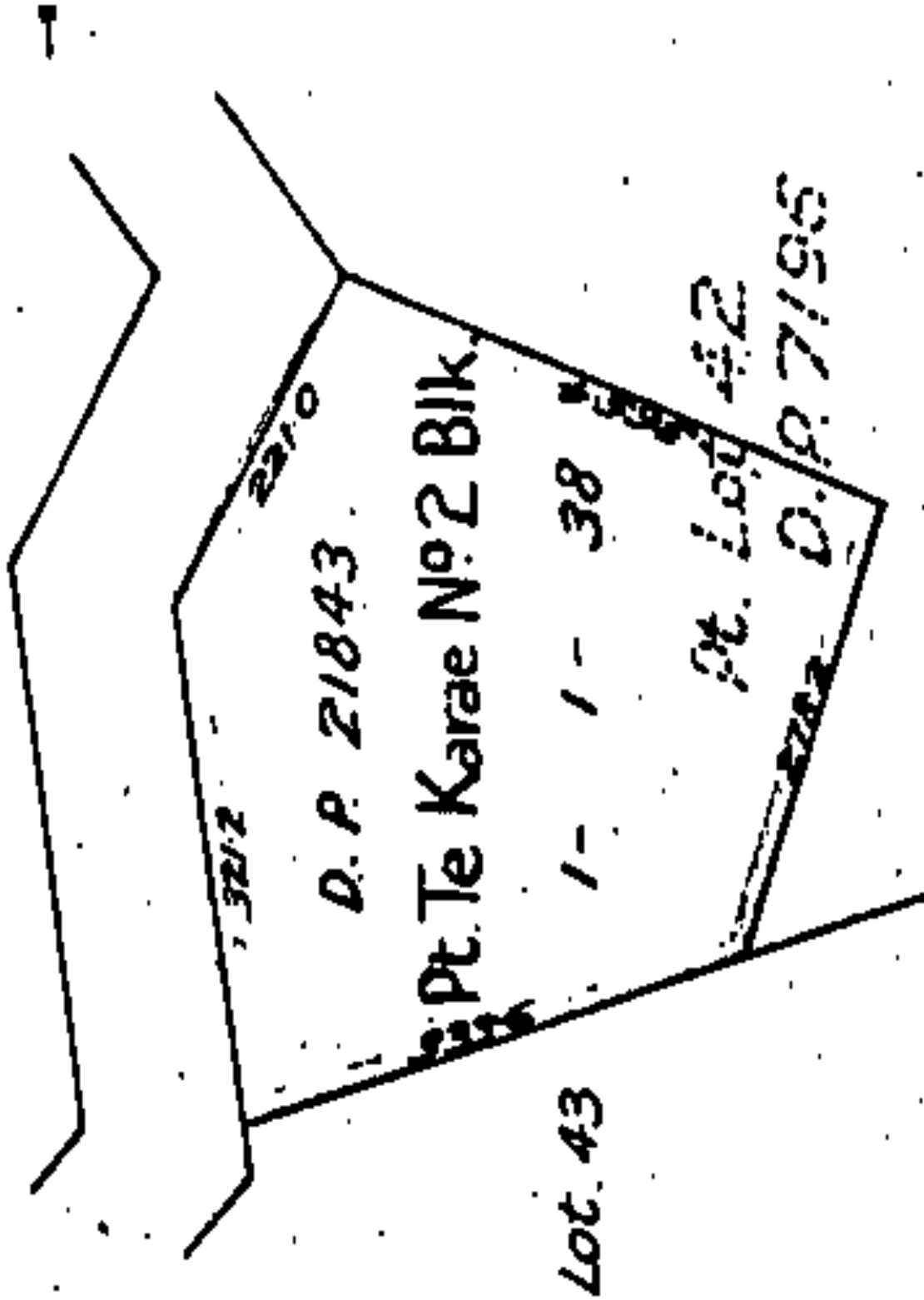
Identifier **NA650/70**
Land Registration District **North Auckland**
Date Issued 16 January 1934

Prior References
NAPR177/249 WA 3359

Estate Fee Simple
Area 6020 square metres more or less
Legal Description Part Te Karae No 2 Block and Defined on
Deposited Plan 21843

Registered Owners
Kauri Forestry LP

Interests





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




R. W. Muir
Registrar-General
of Land

Identifier NA33A/752
Land Registration District North Auckland
Date Issued 10 August 1976

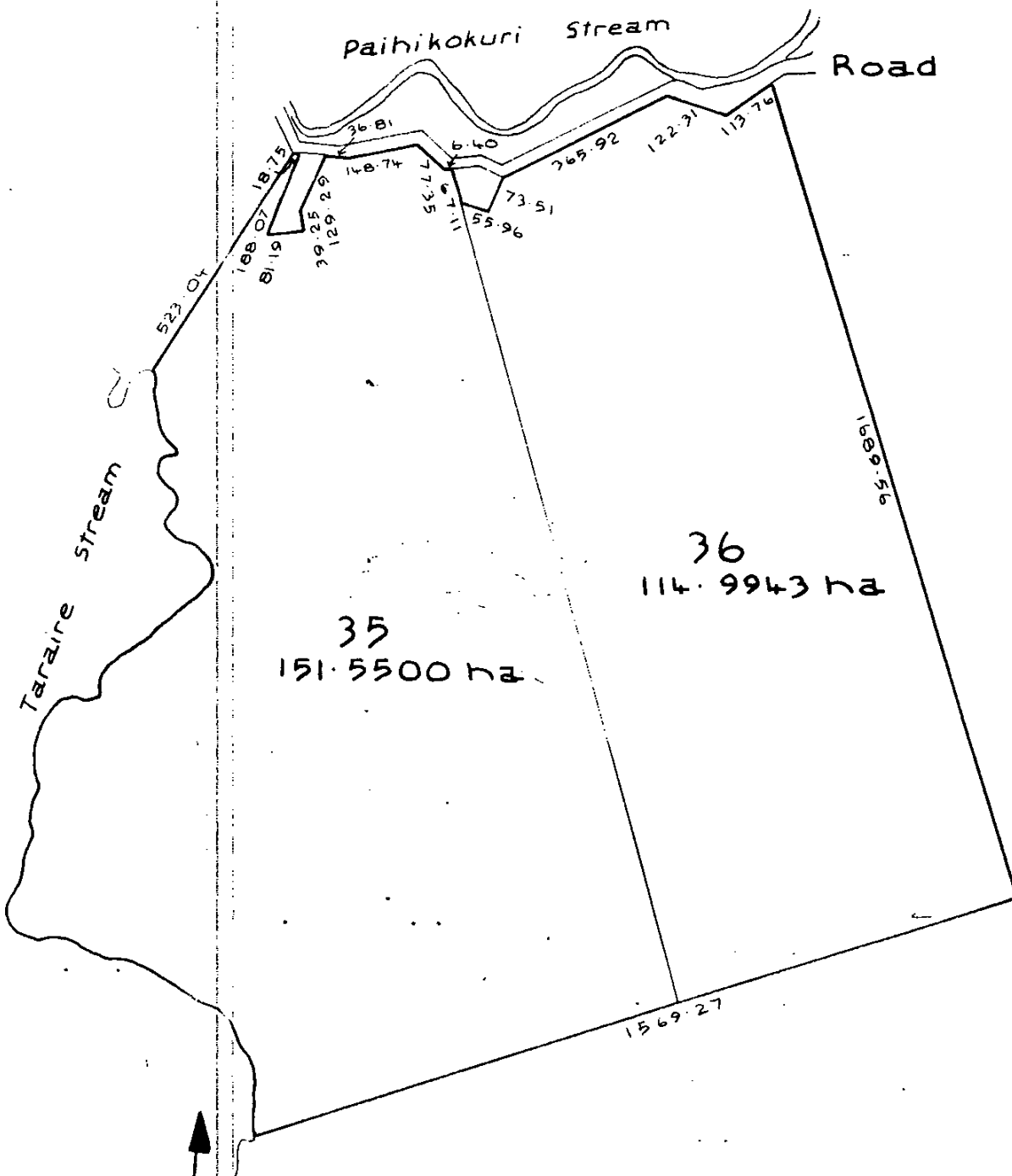
Prior References
NA33A/120

Estate Fee Simple
Area 266.5443 hectares more or less
Legal Description Section 35-36 Block I Mangamuka Survey
District

Registered Owners
Kauri Forestry LP

Interests

Appurtenant hereto is a water pipeline right created by Transfer B218123.1
Subject to Section 8 Mining Act 1971
Subject to Section 168A Coal Mines Act 1925
13072885.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.7.2024 at 5:02 pm



Total Area: 266.5443 ha

Measurements are metric SO 50265

B218123.1 TE

Under the Land Transfer Act 1952

Memorandum of Transfer

HER MAJESTY THE QUEEN acting through the Commissioner of Crown Lands, Auckland (hereinafter with her successors called "the Grantor") of the one part and PETER JAMES HICK of Kohukohu, farmer, ~~being registered as proprietor~~ and JUNE MARGARET HICK his wife (hereinafter together called "the Grantees") of the other part WHEREAS

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

~~more or less being~~

1. The Grantor is the owner of all that piece of Crown land situated in the North Auckland Land District containing 116.0180 hectares more or less being Section 39 Block I Mangamuka Survey District and being all the land comprised in Deferred Payment Licence No. DPF 1037 noted in Register Book 50C/461 North Auckland Registry held by ANTHONY EDWIN CLUTTERBUCK of Halcombe, shearer and SYLVIA DAPHNE CLUTTERBUCK his wife (hereinafter referred to as "the said land").
2. The Grantees are the proprietors of an estate in fee simple situated in the North Auckland Land District comprising 266.5443 hectares more or less being Sections 35 and 36 Block I Mangamuka Survey District contained in Certificate of Title 33A/752 North Auckland Registry (hereinafter referred to as "the adjoining land").
3. The Grantees are desirous of obtaining the right to lay and maintain water pipes across that area marked A on S.O. Plan 56619.

NOW THIS MEMORANDUM OF TRANSFER WITNESSETH THAT the Grantor hereby transfers and grants pursuant to Section 60 of the Land Act 1948

1. A water pipeline easement, insofar as the Grantor may legally do so, over those pieces of the said land more particularly defined as Area A on S.O. Plan 56619 appurtenant to the adjoining land, for the purpose of laying, maintaining and operating a line of pipes for the supply of water TOGETHER WITH a further right for the Grantees and their servants, agents or workmen to enter upon the said land for the purpose of constructing and maintaining a pumphouse or pipes in conjunction with the water pipeline on that portion marked A on S.O. Plan 56619.

PROVIDED THAT

- (a) such water pipes shall be laid where they pass through or over arable land at a depth of not less than 45 centimetres
- (b) such easement or right to convey water shall include the rights and powers as contained in Clauses 2 and 5 of the Seventh Schedule of the Land Transfer Act 1952
- (c) that the pipes at present laid shall be deemed to comply in all respects with the foregoing provisions
- (d) that any expense of obtaining or retaining any necessary water right, or of maintaining the easement shall be borne by the Grantees.

2. That this easement hereby granted shall be forever appurtenant to the adjoining land.

The grant of the above easement is acknowledged by ANTHONY EDWIN CLUTTERBUCK and SYLVIA DAPHNE CLUTTERBUCK as Licensees of the said land in the presence of:

A. E. Clutterbuck

S. Clutterbuck.

Witness: W. R. Murchant

Occupation: Senior Field Officer

Address: Department of Lands & Survey
Kaitiaki

SIGNED by PETER JAMES HICK and JUNE MARGARET HICK as Grantees in the presence of:

P. J. Hick

J. M. Hick

Witness: [Signature]

Occupation: [Signature]

Address: Kaitiaki

~~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~~

THE RURAL BANKING AND FINANCE CORPORATION the mortgagee under and by virtue of Memorandum of Mortgage No. 863642.5 doth hereby consent to the within written grant of water easement but without prejudice to its rights, title, powers and remedies under its said mortgage.

SIGNED by MICHAEL GEORGE CHAMBERS }

on behalf of the Rural Banking and Finance Corporation as mortgagee in the presence of:



Witness: C. King

Occupation: CLERK/SOLICITOR

Address: RURAL BANKING AND FINANCE CORPORATION, PRIVATE BAG, AUCKLAND.

~~In witness whereof these presents have been executed this~~ _____ day
~~of~~ _____ 19__

Signed by the above named REX FRANCIS SMITH }
Assistant Commissioner of Crown Lands for the North Auckland Land in the presence of:—District acting for and on behalf of Her Majesty the Queen as Grantor in the presence of:



Witness: M. Mowers

Occupation: Public Servant

Address: 9 Dept Lands & Survey Auckland

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act.

md

Solicitor for the Transferee.

HER MAJESTY THE QUEEN

Grantor
Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

AND

P.J. and J.M. HICK

md

SOLICITOR FOR THE TRANSFEE

AND

A.E. and S.D. CLUTTERBUCK

Grantees
Transferees

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

*L.T.O.
Prescribed in law
of B. 157264*

(IF) T rep

Soc 126- Pn 002001

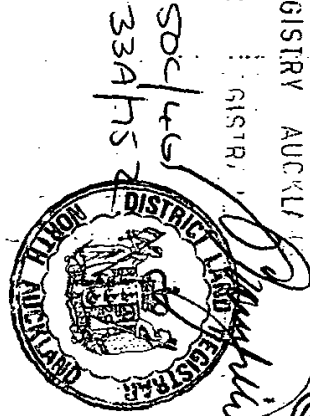
33A/752- Pn 000023

Parsons, Lord
Solicitors for the Transferee

AUCKLAND DISTRICT LAW SOCIETY

The Commissioner of Crown Lands
AUCKLAND

9.11 23 SEP 83 B 218123.1
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. REGISTRAR





View Instrument Details

Instrument No 9791603.1
Status Registered
Date & Time Lodged 17 September 2014 13:23
Lodged By Kitchen, Carol Joy
Instrument Type Easement Instrument



Affected Computer Registers	Land District
NA1131/81	North Auckland
NA1134/59	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

Signature

Signed by Susan Mary Kingston as Grantor Representative on 18/08/2014 03:21 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 Clive Arthur Patterson as Grantee Representative on 23/07/2014 09:45 AM

*** End of Report ***

Form B

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

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

Grantor

Warren William Moyes and Ean Innes Brown

Grantee

James Hick & Son Limited

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

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

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Water	"A" on LT 474669	Part Lot 47 DP 7196 CFR NA1134/59	Lot 41 DP 7196 CFR NA1131/81

Form B - continued

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

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

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:-

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

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

Covenant provisions

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

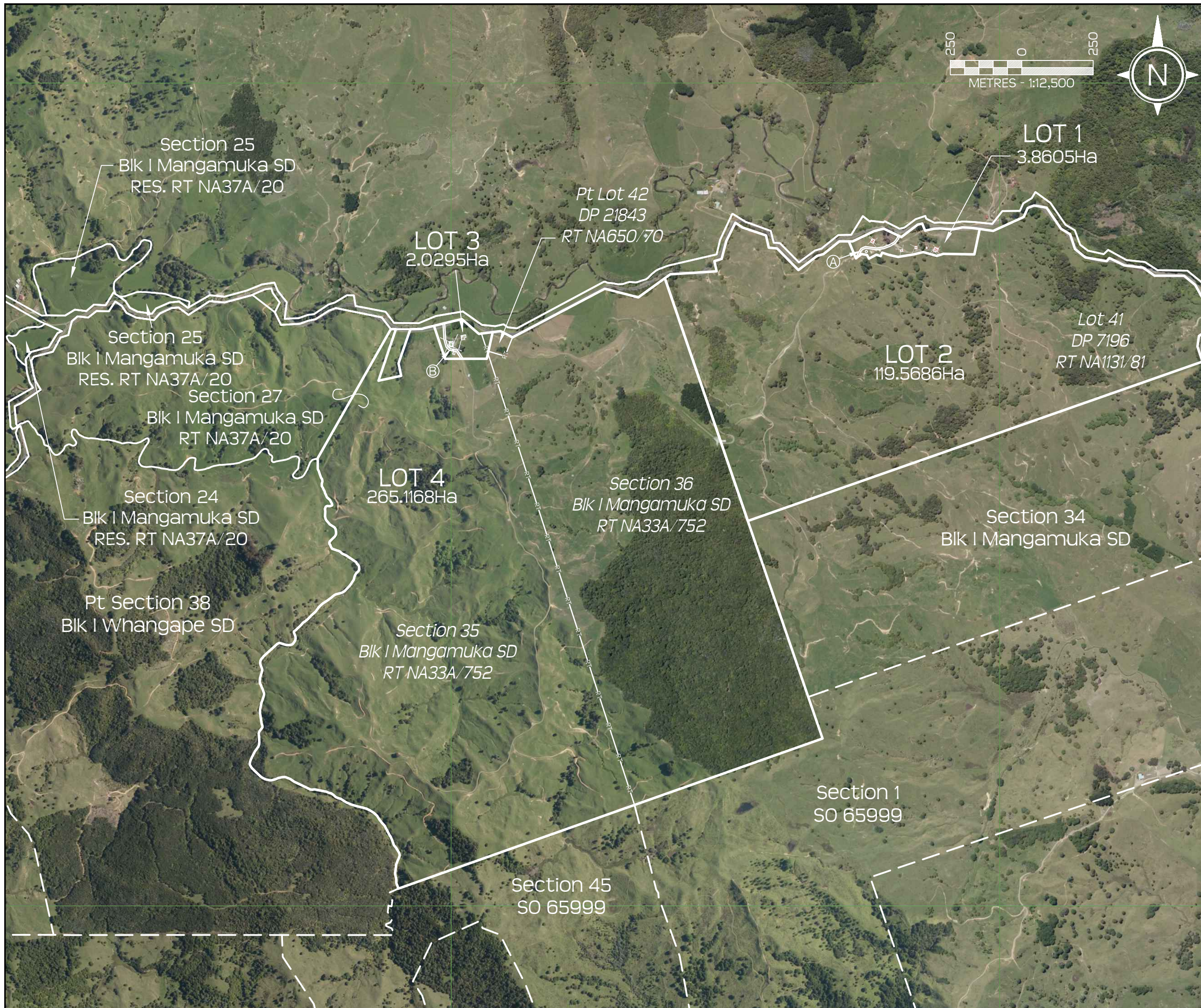
The provisions applying to the specified covenants are those set out in:

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

[Annexure Schedule]

APPENDIX 2

SCHEME PLAN



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PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY	A	LOT 1 HEREON	LOT 2 HEREON
	B	LOT 3 HEREON	LOT 4 HEREON

PROPOSED AMALGAMATION CONDITION
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SEE SHEET 02 - FOR LOT 3 DIMENSIONS
 SEE SHEET 03 - FOR LOT 1 DIMENSIONS

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C	14.03.24	BOUNDARY ADJUSTMENTS - DJ/MW
A	10.10.22	FIRST ISSUE - DJ/TM

REF. DATA:

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 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
KAURI FORESTRY LP
 373 & 189 BROADWOOD ROAD,
 BROADWOOD KOHUKOHU

TITLE
OVERALL
 PROPOSED SUBDIVISION OF
 SECTIONS 35 & 36 BLK I
 MANGAMUKA SD, PT LOT 42
 DP 21843 AND LOT 41 DP 7196

DATE	JUNE 2024	SCALE	1:12,500 @A3
NO.	S17256	SHEET	1/3 Rev. D



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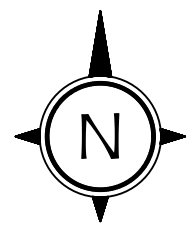
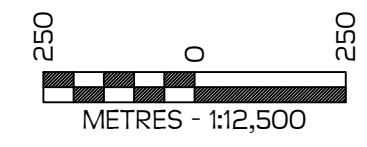
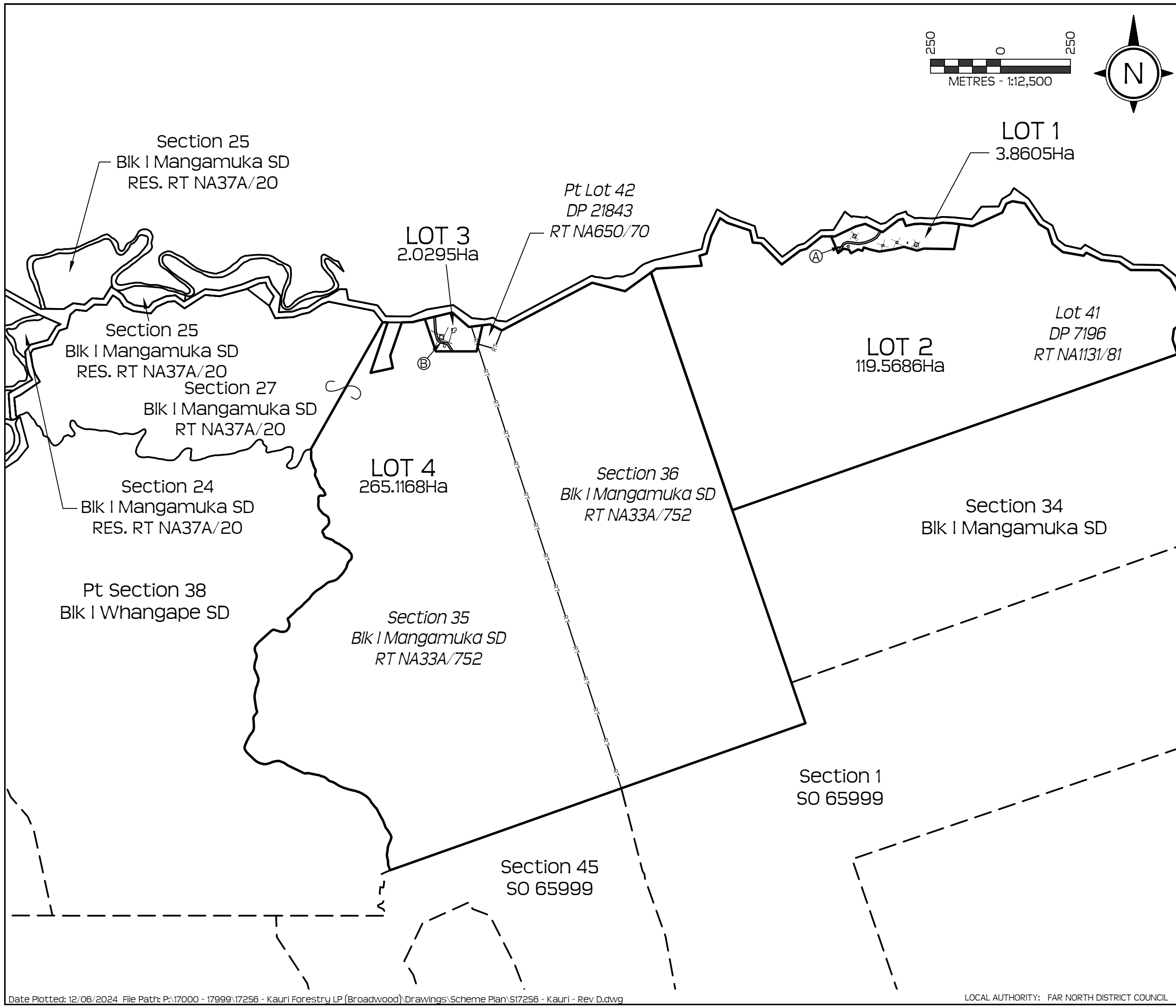


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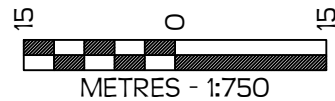
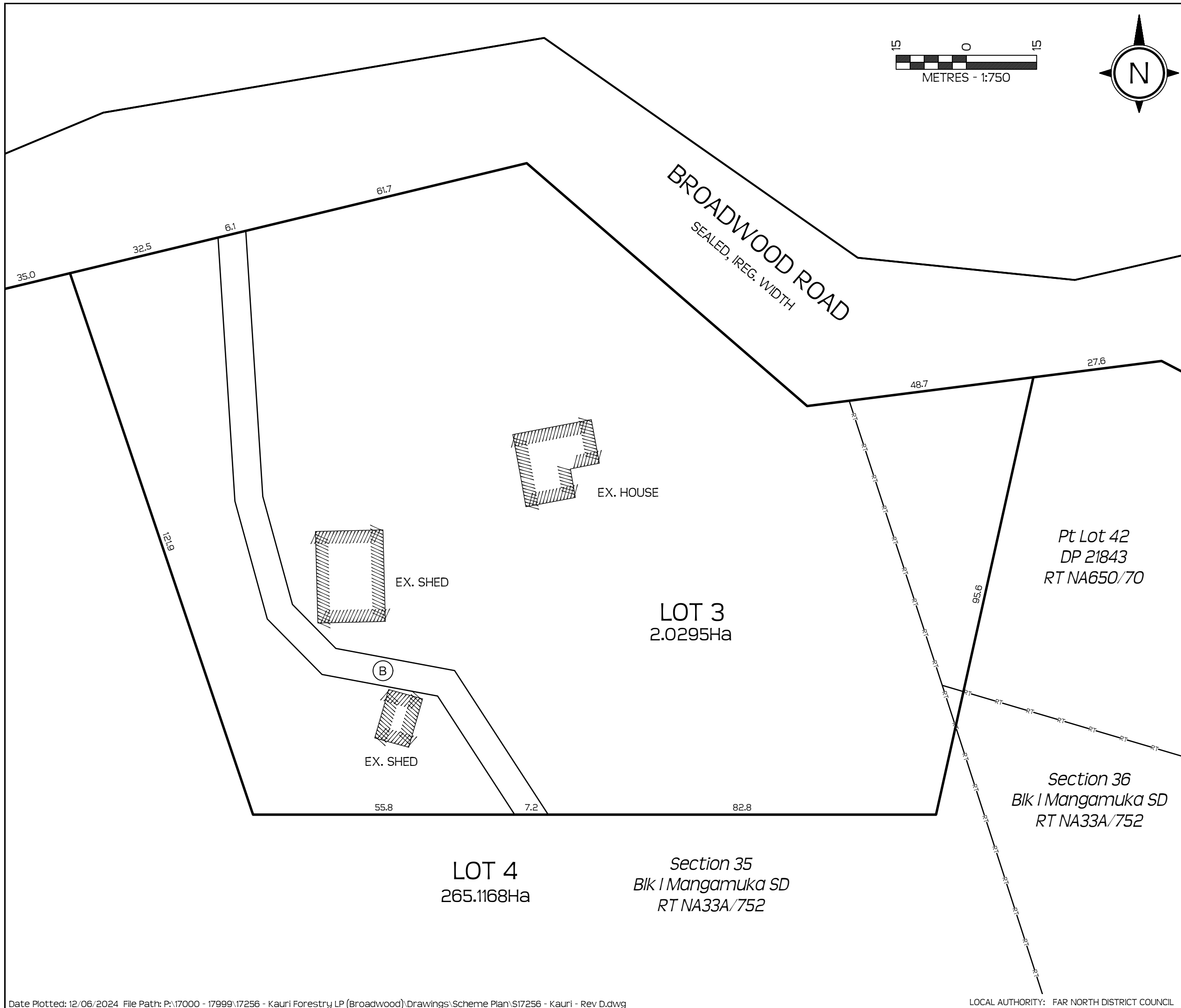
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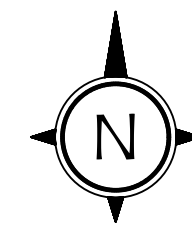
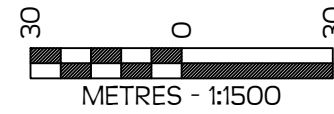
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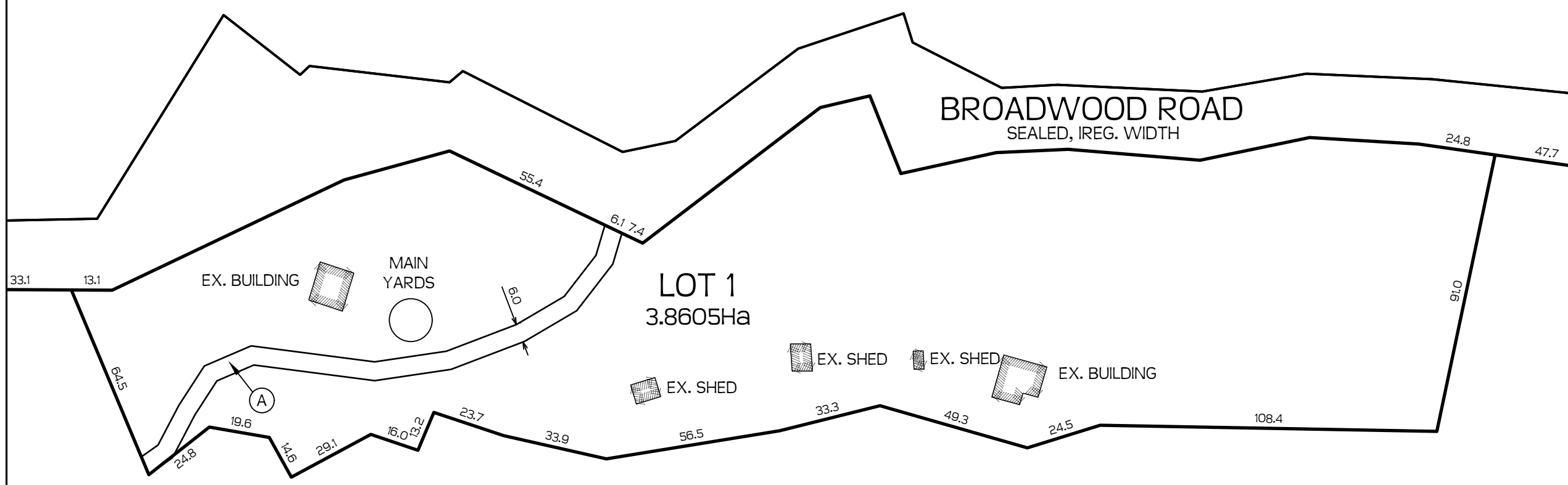
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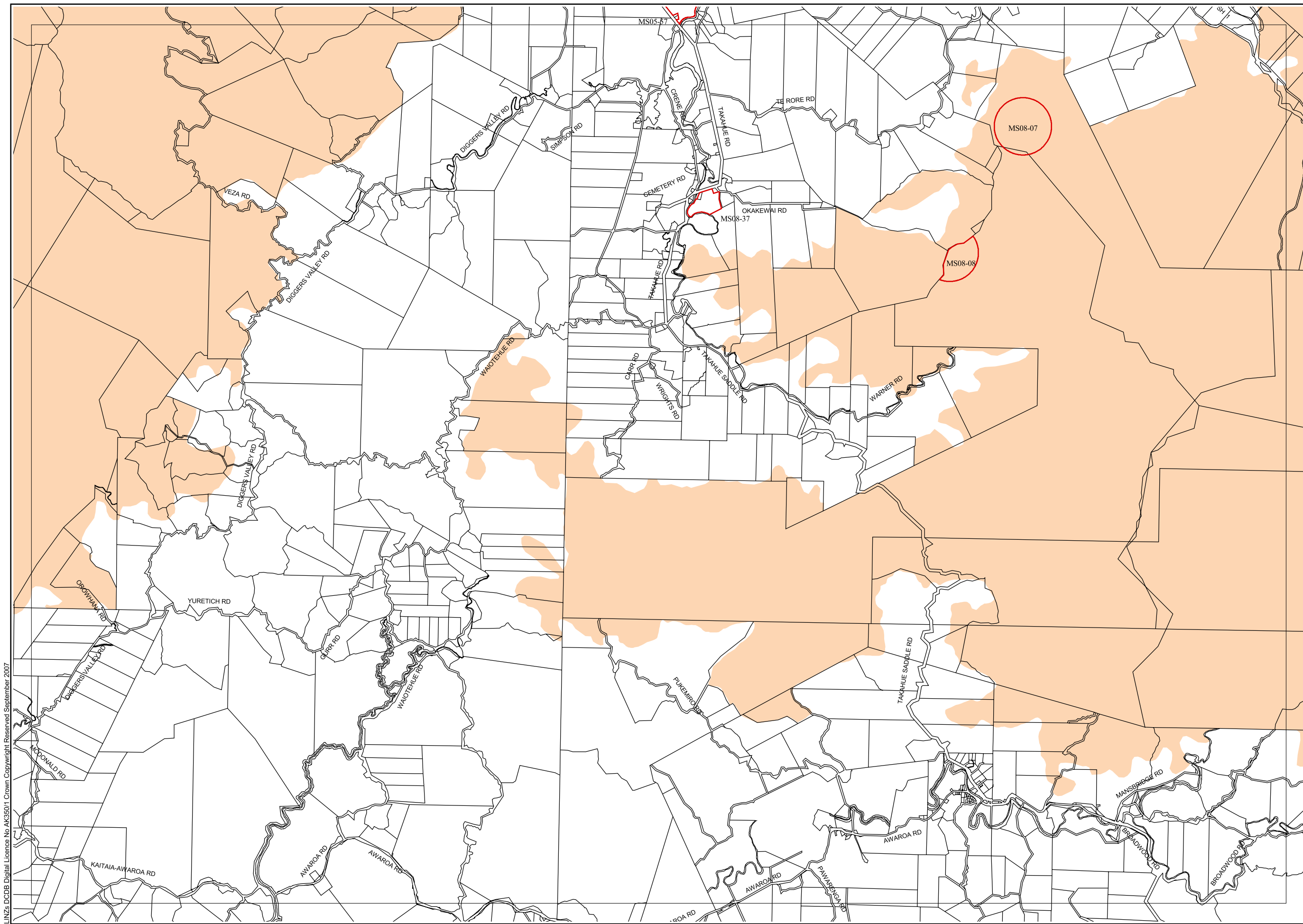
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APPENDIX 3

PLANNING MAPS



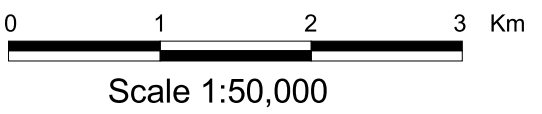
Resource
 Outstanding Landscape
 Site of Cultural Significance to Maori

18	19	20
24	25	26
31	32	33

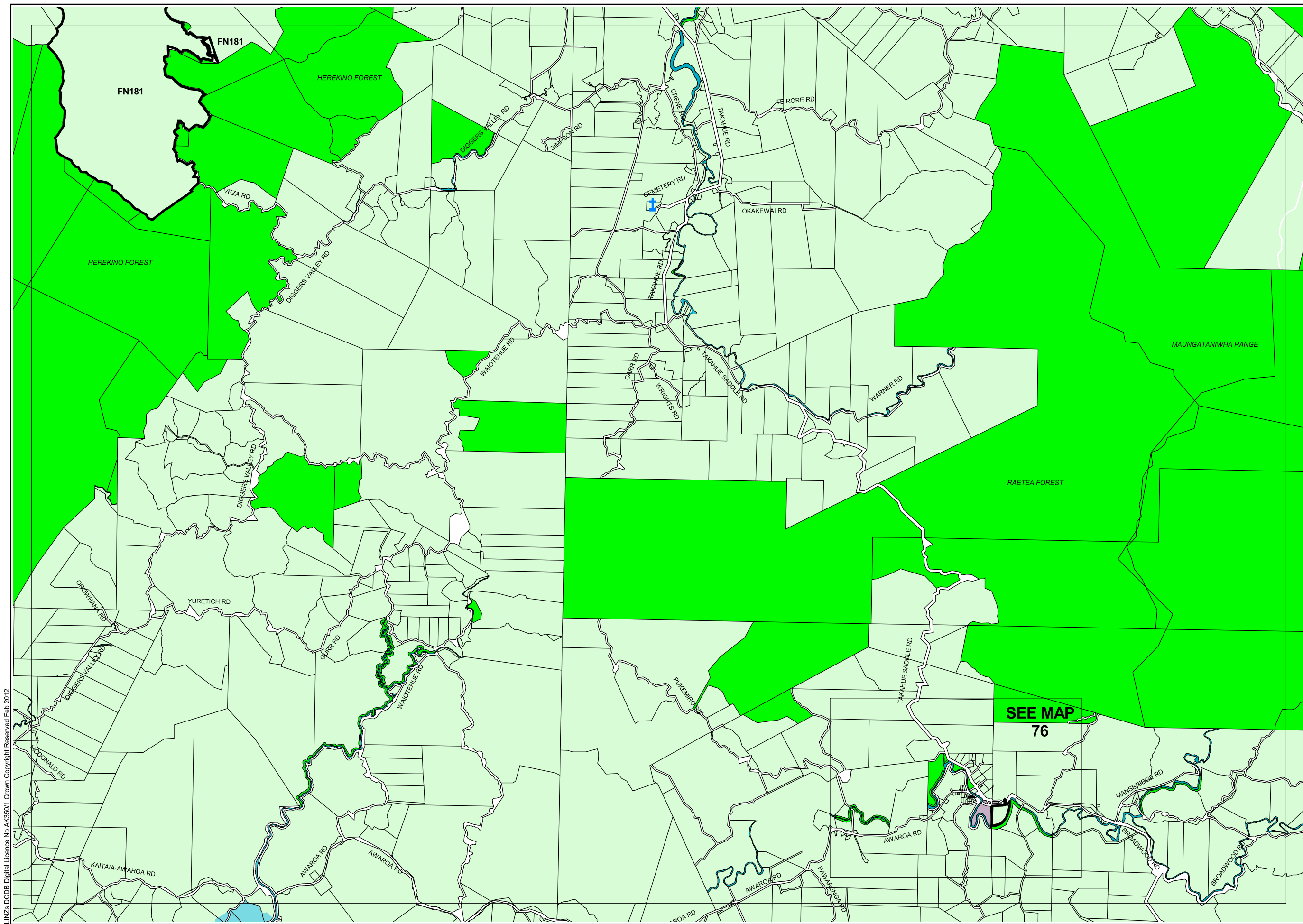
Map Index

Map 25

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DISCLAIMER
 Considerable care has been taken to avoid errors and omissions, and the latest information has been included in these District Plan maps. However, even with the greatest care inaccuracies may occur and therefore the Far North District Council cannot accept any responsibility for such errors and omissions.



- Zone**
- Conservation
 - General Coastal
 - Lakes and Rivers
 - Recreational Activities
 - Rural Production
 - Road
 - Designations
 - Cemetery

Note :-
Roads carry the same zoning as the adjoining land. If a boundary between zones follows a road, the zone boundary is located on the centreline of the formed road, or where unformed, the centreline of the legal road

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24	25	26
31	32	33

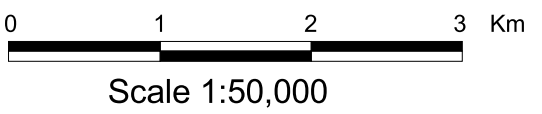
Map Index

Map 25









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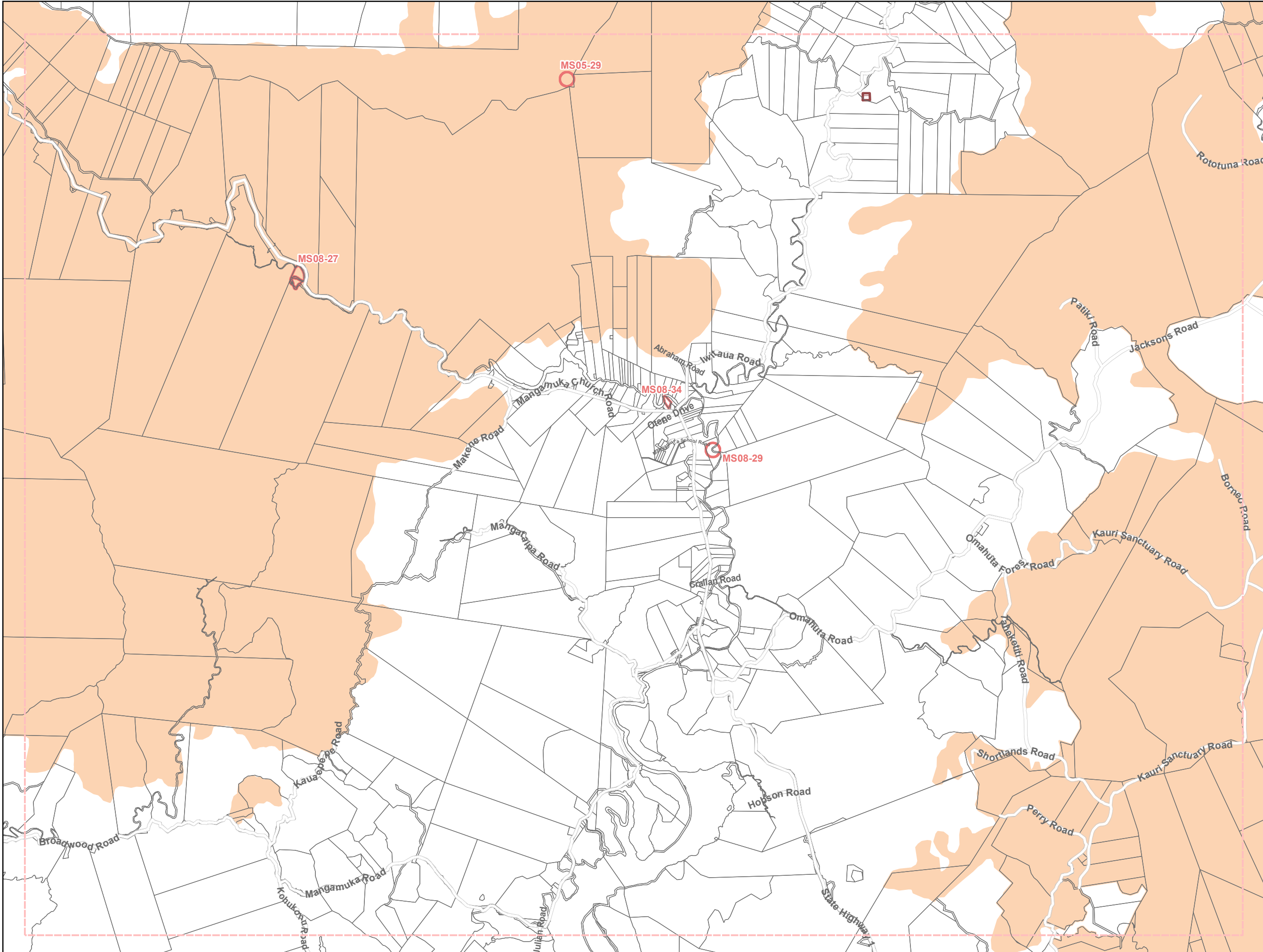


Far North District Plan - Zone Maps

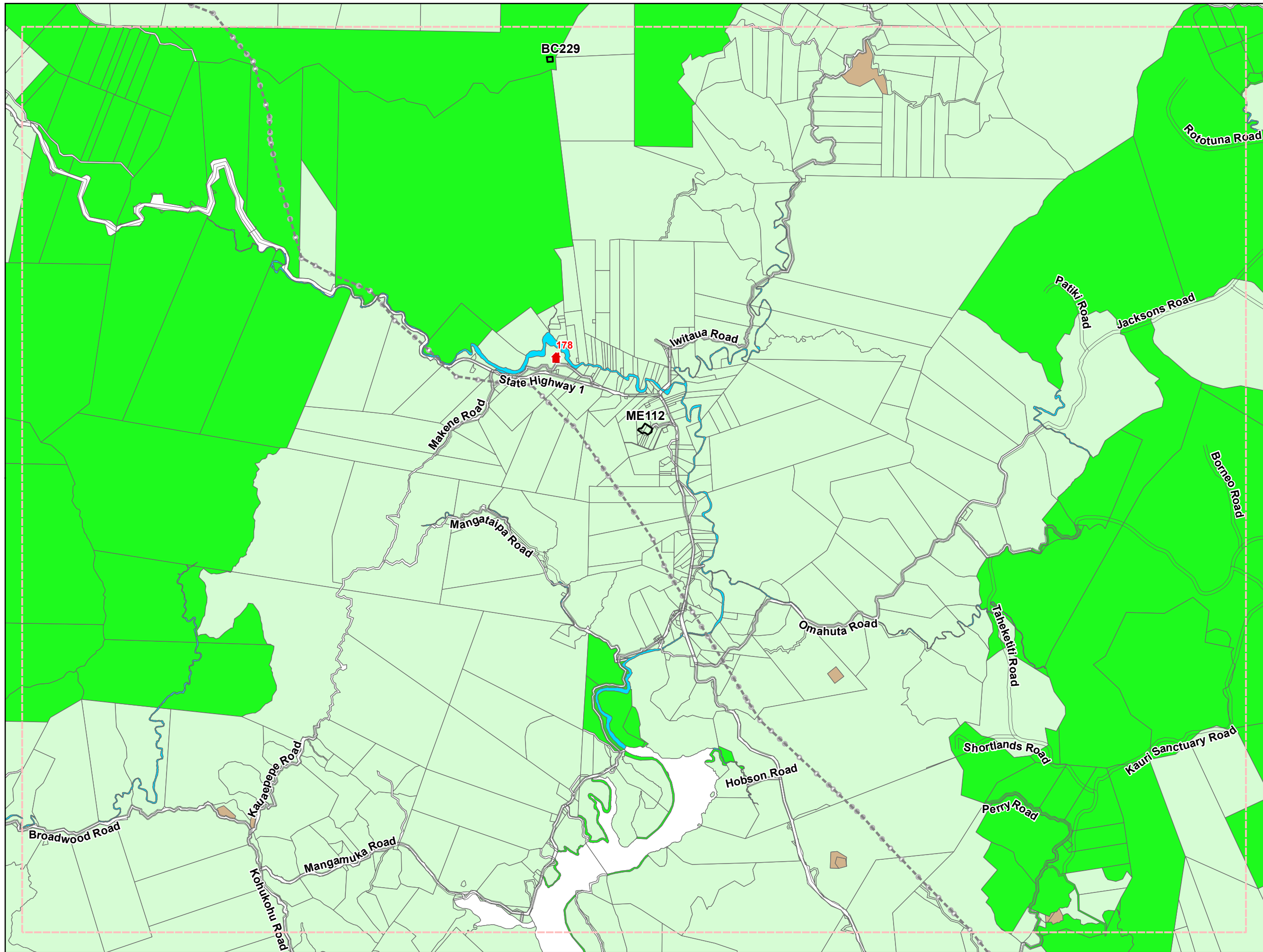
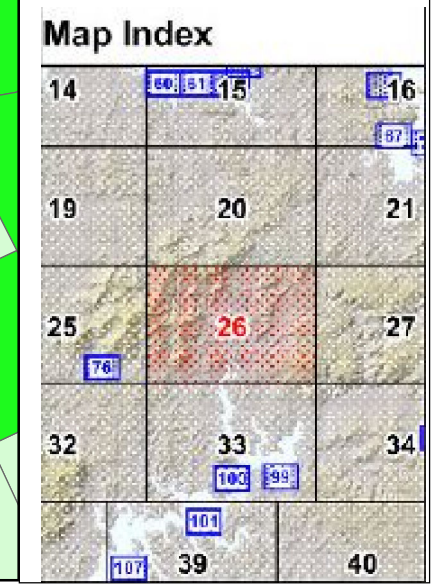


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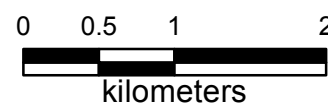
-  Outstanding Landscape Feature
-  Road
-  Parcel Boundary
-  Site of Cultural Significance to Maori
-  Outstanding Landscape
-  Outstanding Natural Feature
-  District Boundary
-  Railway



- Designations
- Cemetery
- Historic Site
- National Grid Line
- Top Energy High Voltage Power Line
- High Voltage Power Pole
- Notable Tree
- District Boundary
- Heritage Precinct
- Railway
- Carrington Estate
- Coastal Living
- Coastal Marine
- Coastal Residential
- Commercial
- Conservation
- General Coastal
- Horticultural Processing
- Industrial
- Kauri Cliffs
- Lakes & Rivers
- Minerals
- Rotorua Island
- Orongo Bay Special Purpose
- Point Veronica
- Quail Ridge Country Club
- Rail
- Recreational Activities
- Residential
- Road
- Rural Living
- Rural Production
- Russell Township
- South Kerikeri Inlet Zone
- South Kerikeri Inlet Zone Sensitive Area
- Pedestrian Frontage

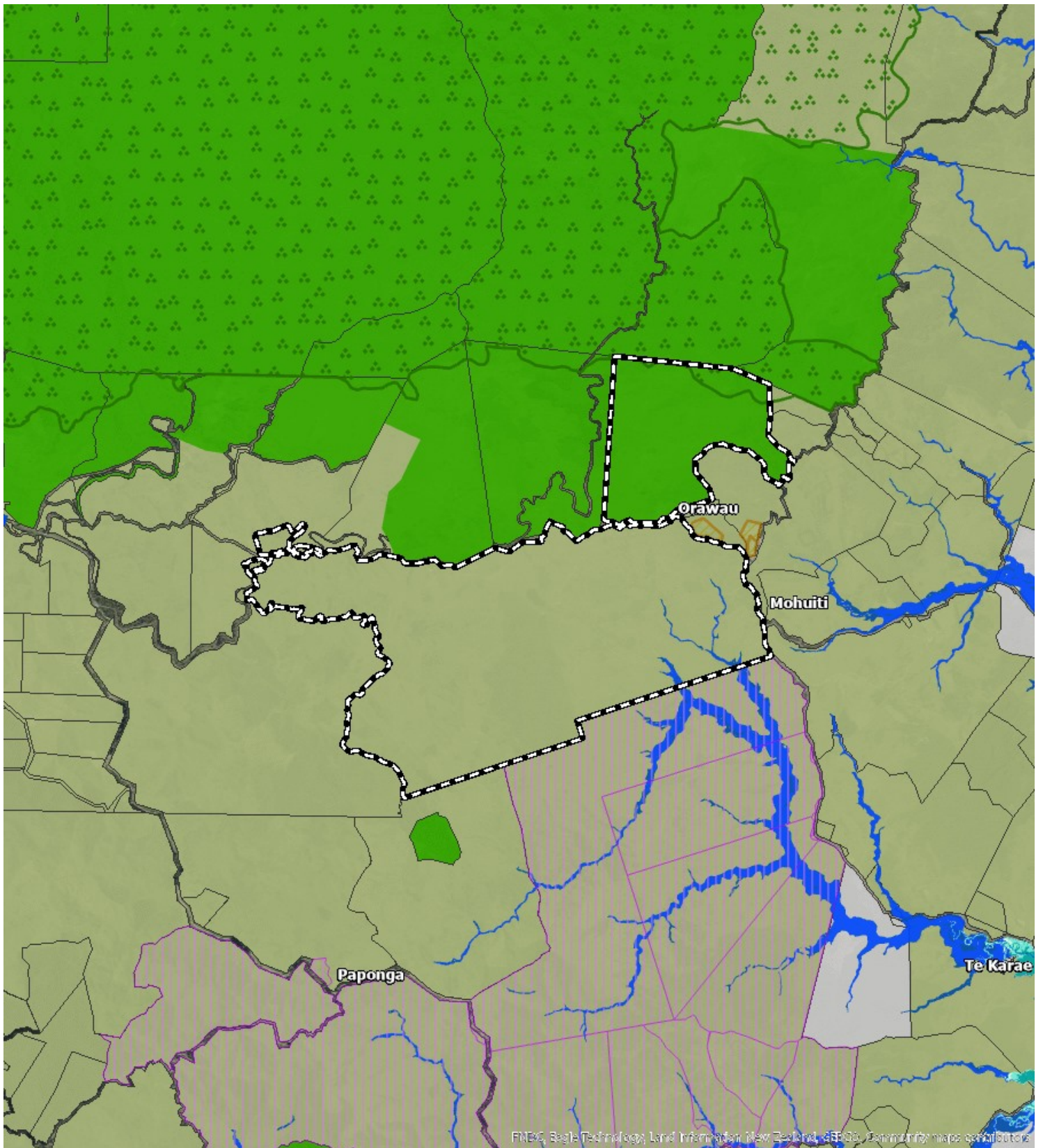


Far North District Plan - Zone Map



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Map Legend

Property boundaries












Zones

-  Airport
-  Carrington Estate
-  General Residential
-  Heavy Industrial
-  Horticulture
-  Horticulture Processing Facilities
-  Hospital
-  Kauri Cliffs
-  Kororāreka Russell Township
-  Light Industrial
-  Mixed Use
-  Moturoa Island
-  Māori Purpose - Rural
-  Māori Purpose - Urban
-  Natural Open Space
-  Ngawha Innovation And Enterprise Park
-  Open Space
-  Orongo Bay
-  Quail Ridge
-  Rural Lifestyle
-  Rural Production
-  Rural Residential
-  Settlement
-  Sport And Active Recreation

Zones

-  Orongo Bay
-  Moturoa Island
-  Carrington Estate
-  Settlement
-  Horticulture Processing Facilities
-  Heavy Industrial
-  Airport
-  Ngawha Innovation And Enterprise Park
-  Sport And Active Recreation
-  Quail Ridge
-  Rural Lifestyle
-  Light Industrial
-  Mixed Use
-  Rural Residential
-  General Residential



-  Kororāreka Russell Township
-  Open Space
-  Kauri Cliffs
-  Māori Purpose - Rural
-  Māori Purpose - Urban
-  Rural Production
-  Natural Open Space
-  Hospital
-  Horticulture

Kauri Cliffs Special Areas

-  Golf Living Environment
-  Golf Playing Environment
-  Golf Living Environment
-  Lodge Environment
-  Lodge Environment
-  Natural Heritage Environment
-  Natural Heritage Environment
-  Golf Playing Environment

Treaty Settlement Land



Pedestrian Frontage



Mineral Extraction



Air Noise Boundary (65 db Ldn)





Coastal Environment



Outer Control Boundary (55 dB Ldn)





Building Height Control

-  Area A
-  Area B
-  Area B
-  Area A



Precincts

 Innovation and Enterprise Precinct

 Innovation and Enterprise Precinct

Outstanding Natural Landscape



Outstanding Natural Feature




High Natural Character



Outstanding Natural Character



National Grid Line

 National Grid Line

 National Grid Line

Critical Electricity Line




Airport Protection Surfaces



Designations



Te Oneroa-a-Tōhe Beach Management Area

 Te Oneroa-a-Tōhē

 Te Oneroa-a-Tōhē

Sites & Areas of Significance to Māori



Heritage Area



Heritage Item



Notable Tree





River Flood Hazard Zone (100 Year ARI Event)



River Flood Hazard Zone (10 Year ARI Event)



Coastal Flood (Zone 3: 100 Year + Rapid Sea Level Rise Scenario)



Coastal Flood (Zone 2: 100 Year Scenario)



Coastal Flood (Zone 1: 50 Year Scenario)



Coastal Erosion (Zone 3: 100 Year + Rapid Sea Level Rise Scenario)



Coastal Erosion (Zone 2: 100 Year Scenario)



Coastal Erosion (Zone 1: 50 Year Scenario)



APPENDIX 4

RULE ASSESSMENT

Operative District Plan Provisions

Section 13 Subdivision		
Rule	Status	Comment
13.7 Controlled (Subdivision) Activities		
13.7.1 Boundary Adjustments: All Zones except the Recreational Activities and Conservation Zones	N/A	Consent is not sought under this rule as an additional lot is proposed.
13.7.2 Allotment Sizes, Dimensions and Other Standards	Restricted Discretionary	Consent is sought under Rule 13.8.1(b).
13.7.3.1 Property Access	Permitted	Refer to assessments from Chapter 15 below.
13.7.3.2 Natural and Other Hazards	N/A	There are no natural hazards on the sites.
13.7.3.3 Water Supply	Controlled	The proposed lots will be supplied with water on-site.
13.7.3.4 Stormwater Disposal	Controlled	The proposed lots will dispose of stormwater on-site.
13.7.3.5 Sanitary Sewage Disposal	Controlled	The proposed lots will dispose of wastewater on-site.
13.7.3.6 Energy Supply	Controlled	The proposed lots will be provided with electricity connections.
13.7.3.7 Telecommunications	Controlled	The proposed lots are capable of being provided with wireless telecommunications connections
13.7.3.8 Easements for any purpose	Controlled	Any necessary easements are shown on the scheme plan or will be provided as required.
13.7.3.9 Preservation of Heritage Resources, Vegetation, Fauna and Landscape, and Land set aside for Conservation purposes.	N/A	There are no identified resources which require protection.
13.7.3.10 Access to Reserves and Waterways	N/A	There are no public reserves, waterways or esplanade reserves on or adjoining the sites.
13.7.3.11 Land Use Compatibility	N/A	No new land uses are proposed.
13.7.3.12 Proximity to Airports	N/A	The site is not located in close proximity to an airport.
13.8 Restricted Discretionary Activities		
13.8.1 Subdivision within the Rural Production Zone	Restricted Discretionary	a. Not proposed b. NA33A/752, NA650/70, NA1131/81 and NA37A/20 were created prior to 28 April 2000. Only one additional title is proposed.

		Proposed Lots 1, 3, and the amalgamated site are all larger than 4,000m ² . Proposed Lot 2 and the balance sites are larger than 4ha. c. Not proposed.
13.8.2 Subdivision within 100m of Minerals Zone	N/A	Not proposed.
13.8.3 Subdivision in the Golf Living Sub-Zone (Kauri Cliffs Zone)	N/A	Not proposed.
13.8.4 Subdivision in the General Coastal Zone	N/A	Not proposed.
13.8.5 Subdivision in the Coastal Living and South Kerikeri Inlet Zones	N/A	Not proposed.

Section 15.1.6 Traffic		
Rule	Status	Comment
15.1.6C Access		
15.1.6C.1.1 Private accessway in all zones	Permitted	<ul style="list-style-type: none"> a. Right of way 'A' will have 2 H.E.s. Right of way 'B' will have 2 H.E.s. b. The accessways have compliant centreline gradients. c. The private accessways will serve a maximum of 8 H.E.s. d. No more than 8 H.E.s use the private accessways. e. Accesses are not proposed within identified areas.
15.1.6C.1.2 Private accessways in urban zones	N/A	Not an urban zone
15.1.6C.1.3 Passing bays on private accessways in all zones	Permitted	<ul style="list-style-type: none"> a. The private accessways have compliant widths, and passing bays are not required. b. Passing bays are not required. c. Vehicle queuing space will be provided at the vehicle crossings.
15.1.6C.1.4 Access over footpaths	N/A	No new vehicle crossings are proposed.
15.1.6C.1.5 Vehicle crossing standards in rural and coastal zones	N/A	No new vehicle crossings are proposed.
15.1.6C.1.6 Vehicle crossing standards	Permitted	The existing vehicle crossings comply with the Engineering Standards and Guidelines.
15.1.6C.1.7 General access standards	Permitted	The existing accessways comply with the general access standards.
15.1.6C.1.8 Frontage to existing roads	N/A	The site does not front an existing road.
15.1.6C.1.9 New roads	N/A	No new roads are to be vested.

15.1.6C.1.10 Service lanes, cycle and pedestrian accessways	N/A	No new service lanes, cycle or pedestrian accesses are proposed.
15.1.6C.1.11 Road designations	N/A	The site does not front an existing road which is subject to a designation for road acquisition and widening purposes.

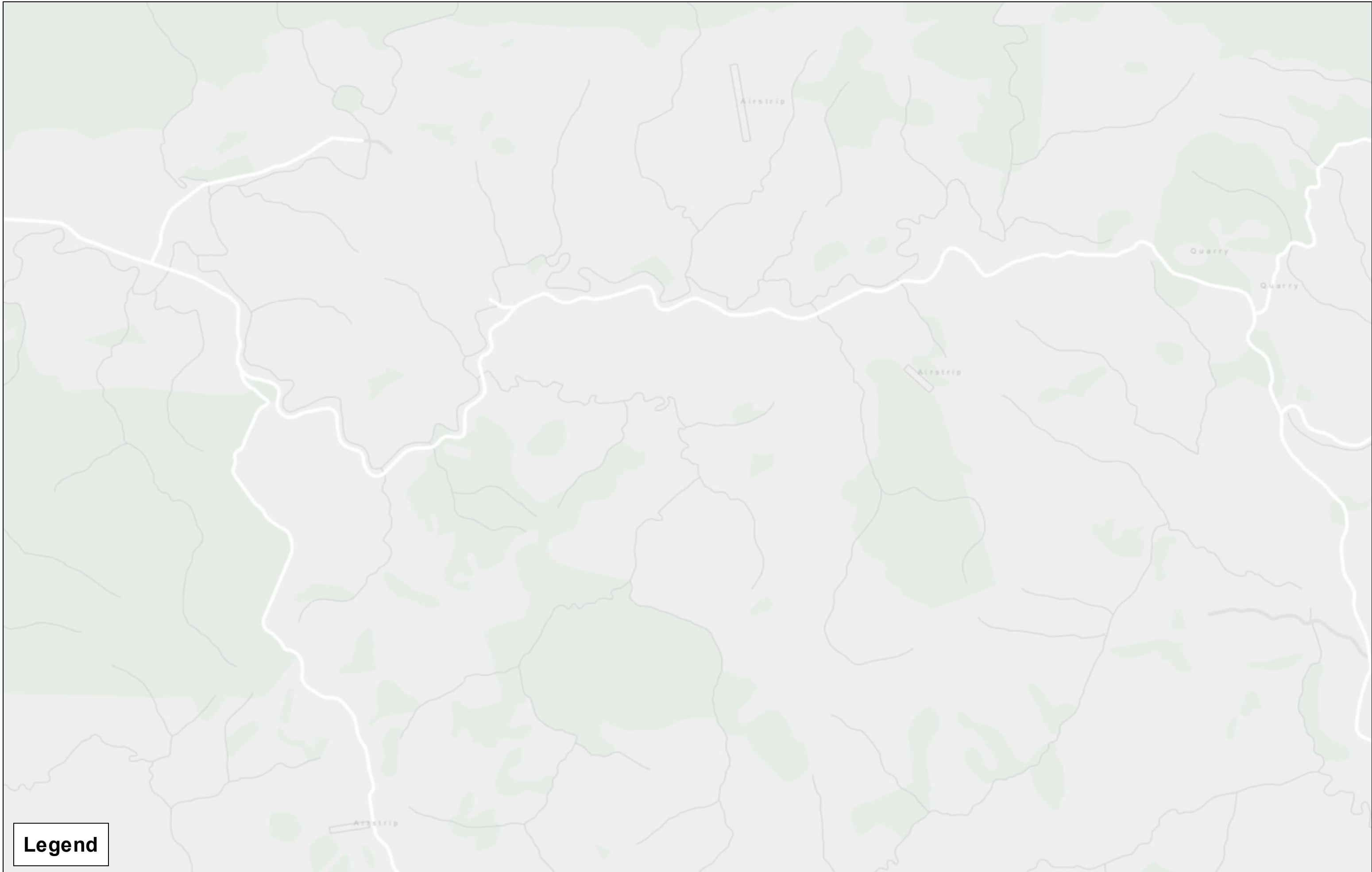
Proposed District Plan Provisions

Subdivision Chapter (SUB)		
Rule	Status	Comment
SUB-R1 Boundary adjustments	N/A	Consent is not sought under this rule as an additional lot is proposed.
SUB-R2 – Subdivision of land solely to create an allotment that is for the purpose of public works, infrastructure reserves or access	N/A	Not proposed
SUB-R3 – Subdivision of land to create a new allotment	Non-complying	<ol style="list-style-type: none"> 1. The subdivision complies with SUB-S2 – S7. 2. The subdivision does not comply with SUB-S1 as proposed Lots 1, 3 and the amalgamated site are smaller than 40ha.
SUB-R4 – Subdivision that creates a private accessway.	Controlled	The private accessways serve a maximum of 8 sites each.
SUB-R5 – R21	N/A	Not proposed.
Overall Status	Non-complying	

Transport Chapter (TRAN)		
Rule	Status	Comment
TRAN-R1 – Parking	Permitted	Sufficient parking spaces will be provided for the proposed lots in accordance with TRAN-S1.
TRAN-R2 – Vehicle crossings and access, including private accessways	Permitted	<ol style="list-style-type: none"> 1. Each private accessway serves a maximum of 8 sites. 2. The existing vehicle crossings and accesses will provide sufficient access for fire appliances. 3. The vehicle crossings are not off a State Highway or a road classified arterial or higher. 4. Any unused vehicle crossings will be reinstated to match the existing shoulder and berm. 5. The private accessways comply with TRAN-Table 9. 6. The existing vehicle crossings and accesses comply with TRAN-S2 and S3.
TRAN-R3 – Maintenance or upgrading of existing transport infrastructure within the existing road corridor	N/A	No maintenance or upgrading of existing transport infrastructure is proposed within the road corridor.
TRAN-R4 – Electric vehicle charging stations	N/A	Does not propose an electric charging station.
TRAN-R5 – Trip generation	Permitted	Less than 20 residential units are proposed.
TRAN-R6 – R10	N/A	Not proposed.
Overall Status	Permitted	

APPENDIX 5

NRC 'SELECTED LAND-USE SITES' DATABASE MAP



Legend



NRC Selected Land-use Register

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