

DONALDSONS

REGISTERED LAND SURVEYORS

8469

26 June 2024

Planning Division

Far North District Council

Private Bag 752

Kaikohe

Dear Sir/Madam

PROPOSED BOUNDARY ADJUSTMENT – *fast track*

G. WALKER, WHARAU ROAD, KERIKERI

We submit herewith a Resource Consent application together with the following:

- Application form & deposit \$1204
- Planning report
- Record of Title
- Scheme Plan

Yours faithfully,

Micah Donaldson

MNZIS - Assoc.NZPI

DONALDSONS

Registered Land / Engineering Surveyors and Development Planners



CSNZ THE CONSULTING
SURVEYORS
OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS



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) Fast Track Boundary Adjustment

*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: G. Walker & S. Foster

Electronic Address for Service (E-mail): C/o Donaldson's Surveyors Ltd

Phone Numbers: Work: Home:

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

Post Code:

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

Name/s: Donaldson's Surveyors Ltd

Electronic Address for Service (E-mail):

Phone Numbers: Home:

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

Post Code:

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: Glenn Walker

Property Address/
Location: 250 Wharau Road, Kerikeri

7. Application Site Details:

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

Site Address/
Location: 250 Wharau Road, Kerikeri

Legal Description: Lot 2 DP 211311 & Lot 2 DP 574123

Val Number:

Records of Title: RT NA139B/608 & RT 1048548
Please remember to attach a copy of your Record 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.

Proposed boundary adjustment (minor) in the Rural Production zone.

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 Right of Way Section 348 LGA

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
Exempt as production land

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:

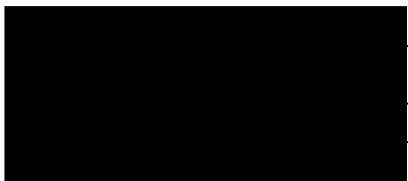
Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient 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. See within the planning report

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)



Email:

Postal Address:

Post Code: 0245

Phone Numbers:

Work: 09-4079182

Home: _____

Fax: _____

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: Micah Donaldson

Signature:



(signature of bill payer – **mandatory**)

Date: 26 June 2024

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.

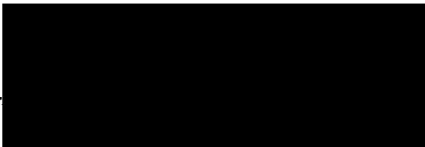
A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

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: Micah Donaldson (please print)

Signature:  (signature) Date: 26 June 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.

Digital Applications may be submitted via E- mail to: Planning.Support@fndc.govt.nz

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

Donaldson's Surveyors Limited

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Kerikeri 0245 - Northland - New Zealand

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PLANNING REPORT

PROPOSED BOUNDARY ADJUSTMENT

G. WALKER & S. FOSTER

254 WHARAU ROAD, KERIKERI

Date: 26 June 2024

Reference: 8469



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INTRODUCTION

The applicants seek resource consent for a boundary adjustment, to rectify a new retaining wall encroachment.

A retaining wall was recently approved for construction on Lot 2 DP 211311, and inadvertently constructed over the legal boundary onto adjoining Lot 2 DP 574123.

The retaining wall needs to be owned and maintained by the landowner of Lot 2 DP 211311 and the proposed boundary adjustment would rectify the issue through acquiring an area of 160m², defined by proposed Lot 1.

Current situation:

Lot 2 DP-574123 = 4485m²
 Lot 2 DP-211311 = 4031m²

Proposed outcome:

Lot 2 = 4325m²
 Lot 1 & Lot 2 DP 211311 = 4221m²

The subject properties are zoned Rural Production under both the Operative and Proposed District Plans, and overall, the application is presented as a controlled activity under the Fast Track provisions 87AAC RMA.

The applicant also seeks consent to cancel two consent notices insofar as they relate to proposed Lot 1, and an amalgamation condition is required to complete the boundary adjustment.

SITE DESCRIPTION

The application site legal reference:

Estate	Lot Number Deposited Plan	Area	Proprietor	Record of Title
Fee Simple	Lot 2 DP-574123	4485m ²	S. F. Foster G. A. Walker	RT-1048548
Fee Simple	Lot 2 DP-211311	4031m ²	B. J. O'Shea L. M. Andrews	RT-NA139B/608

The properties are situated along Wharau Road in Kerikeri. Lot 2 DP 211311, located at 250 Wharau Road, has existing residential development with an established residence.

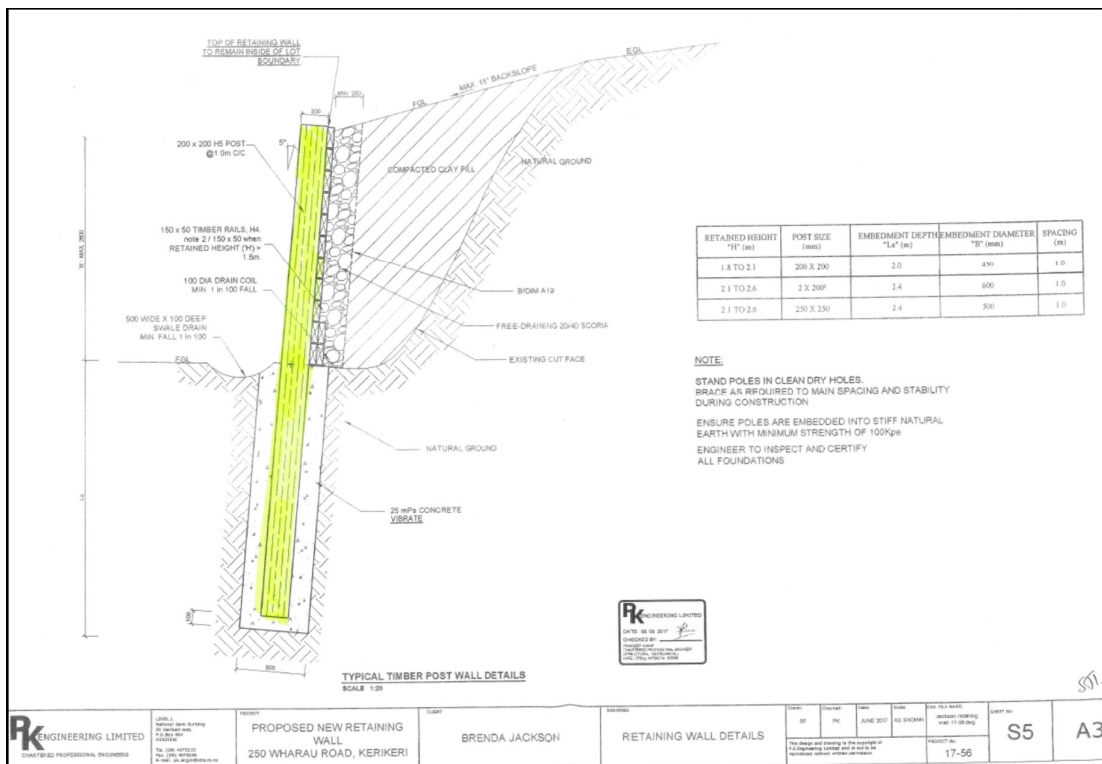
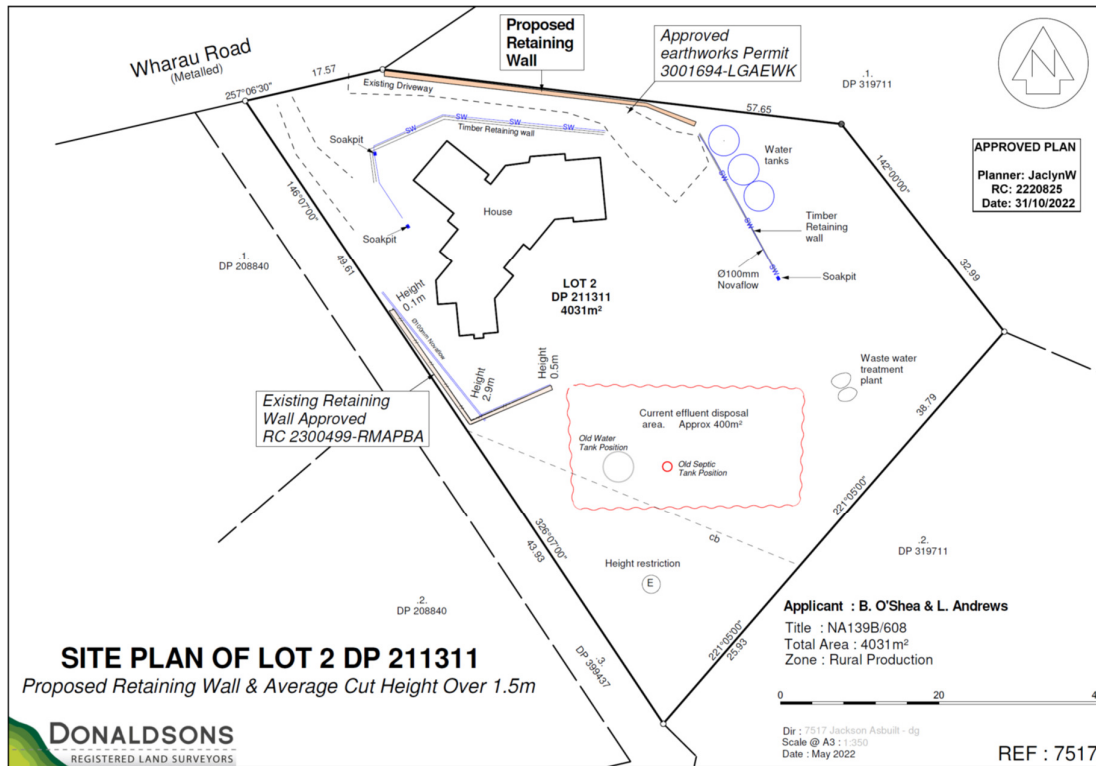
Lot 2 DP 574123, is located at 254 Wharau Road, comprises vacant grass land intended for future development. Its expansive grounds provide a canvas for residential use.

The construction of a retaining wall occurred near the entrances to both lots. This structure was designed to improve access specifically to Lot 2 DP 211311, but was constructed over the boundary.

Proposed Lot 1 covers an area of 160m², encompasses the newly constructed retaining wall and extends wider to capture the uphill terrain.

The retaining wall's construction adhered to regulatory standards and was authorized under RC 2300499, supported by the associated building consent. Little is known about the council inspection and

requirement to identify the boundary. Detailed plans and specifications are available, outlining the engineering that guided its implementation, as shown following:



OPERATIVE DISTRICT PLAN

The property is located within the Rural Production zone and is not influenced by any Resource overlays under the Operative District Plan.

SUBDIVISION

Boundary Adjustments

13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES

Boundary Adjustments Performance Standards

Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:

(a)

There is no change in the number and location of any access to the lots involved;

The boundary adjustment does not increase the number of accesses to the site.

(b)

There is no increase in the number of lots;

There would remain 2 titles.

(c)

The area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment;

The boundary adjusted areas of both lots continue to exceed their minimum lots size of 4000m².

(d)

The area affected by the boundary adjustment is within or contiguous with the area of the original lots;

The areas remain contiguous with that of the current boundary layout.

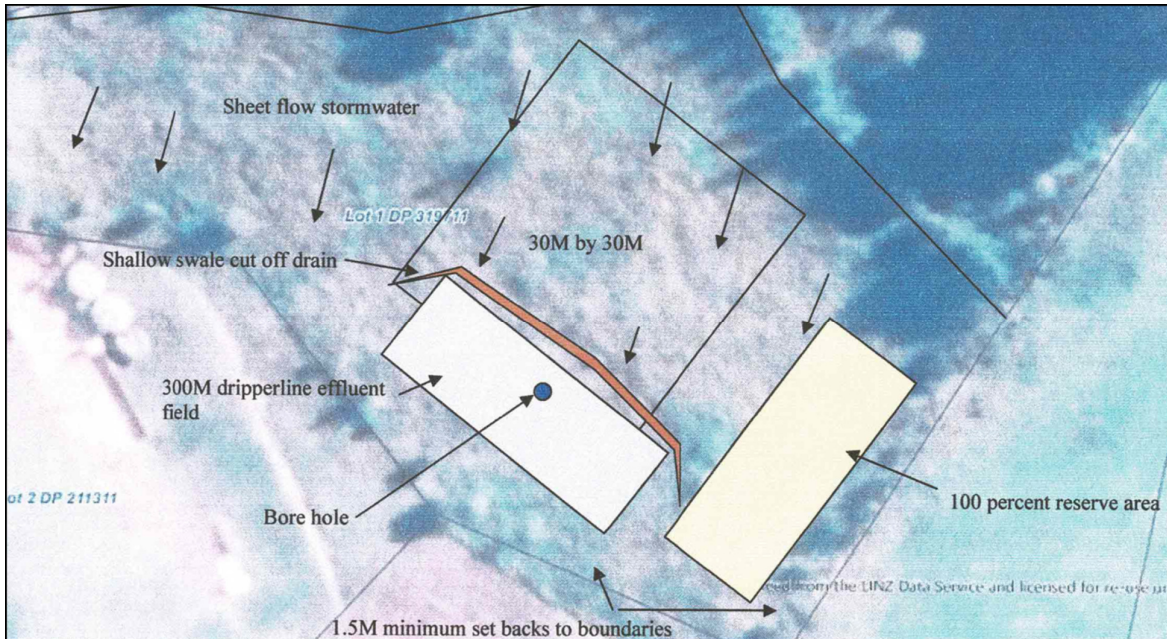
(e)

All boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal);

The adjusted boundary complies with all permitted land use rules.

(f)
All existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.

The proposal complies. The wastewater design for Lot 2 DP 574123 as prepared for RC 2300567, and shown in the plan below, is not compromised by the boundary adjustment.



ALLOTMENT DIMENSIONS

(Buildable Area)

Zone	Minimum Dimension
Rural Production	30m x 30m

The boundary adjustment does not compromise either of the allotment shape parameters applicable to each lot. Proposed Lot 2 has a designated building envelope and Lot 2 DP 211311 has a single residential unit, both uncompromised by the boundary adjustment.

ASSESSMENT CRITERIA

Property Access

The boundary adjustment has no effects on the existing access arrangements.

Hazards

The NRC Maps do not record the site with any natural hazards.

Water Supply

There is no change to the existing water supply arrangements.

Stormwater

There is no change to the stormwater disposal, and the boundary adjustment does not increase impermeable surfaces.

All existing impermeable surfaces have been lawfully established and therefore uphold existing use rights pursuant to Section 10 RMA.

Lot 2 remains undeveloped.

Lot 2 DP 211311 acquires additional land thereby improving the percentage of permeable surface availability.

Sewage

The boundary adjustment does not compromise effluent disposal, as described.

Energy Supplies & Telecommunications

There are no changes to electricity or telecommunication services, not to need consultation with service providers.

Easements - Land Covenants - Amalgamations

There are no proposed easements.

There are two existing consent notices on the title of Lot 2 DP 574123 that should not be carried over with Lot 1 on amalgamation with Lot 2 DP 211311, and therefore the applicant seeks consent to cancel those consent notices pursuant to Section 221(3)(a) RMA, insofar as they related to proposed Lot 1.

CONO 12905239.3 - was created in 2023 on subdivision of DP 574123 and relates to matters specifically within the areas of proposed Lot 2 and Lot 1 DP 574123.

The consent notice is attached for reference and does not concern the area of proposed Lot 1.

CONO 5728827.3 - was created in 2003 on subdivision of DP 319711 and relates to matters specifically within the areas of proposed Lot 2 and Lot 1 DP 574123.

The consent notice is attached for reference and does not concern the area of proposed Lot 1.

There are no proposed covenants.

There is one proposed amalgamation condition pursuant to Section 220(1)(b)(ii)RMA.

That Lot 1 be transferred to the owner of Lot 2 DP 211311 (NA139/608) and that one Record of Title be issued to include both parcels.

Preservation

There are no listed outstanding landscapes as shown in the Resource Overlays or under Appendix 1a-1g of the plan.

Access to Reserves and Waterways

Not applicable.

Land Use Incompatibility

The land transfer exchange does not alter either of the lot's rural lifestyle use.

NATURAL AND PHYSICAL RESOURCES

There is no vegetation clearance and no earthworks.

There is no adversity to the life supporting capacity of soil, eco-systems, water quality, or air.

There are no historic or cultural concerns.

PROPOSED DISTRICT PLAN

The properties are both located in the Rural Production zone and are not subject to any resource overlays.

The proposed boundary adjustment does not affect sites within a heritage overlay, is not an activity that would cause or worsen the effects of natural hazards, does not require any earthworks, and is not land that has a significant ecological value, thereby the proposed district plan has limited legal affect.

SUBDIVISION

For clarity, the following describes relevant subdivision objectives and policies under the proposed plan.

Objectives

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.

Policies

SUB-P1

Enable boundary adjustments that:

- a) do not alter:
 - i) the degree of non compliance with District Plan rules and standards;
 - ii) the number and location of any access; and
 - iii) the number of certificates of title; and
- b) are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

The proposal accords with relevant subdivision objectives and policies.

BOUNDARY ADJUSTMENTS

SUB-R1

Standards

SUB-S1 Minimum allotment sizes

Activity status: Controlled

Rural Production	40ha
------------------	------

SUB-S2 Requirements for building platforms for each allotment

Rural Production, Horticulture, Rural Lifestyle, Rural Residential	30m x 30m
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CON-1

SUB-1 Minimum allotment sizes for controlled activities, except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased;	These are both existing allotments and although sized less than 40ha, the boundary adjustment does not change the degree of non-compliance, due to the exchange of equal areas.
SUB-2 Requirements for building platforms for each allotment	No concern both sites have ample area for building.
SUB-3 Water supply	As described under the proposed plan assessment.
SUB-4 Stormwater management	As described under the proposed plan assessment. Complies with the 15%.
SUB-5 Wastewater disposal	As described under the proposed plan assessment.
SUB-6 Telecommunications and power supply	As described under the proposed plan assessment.
SUB-7 Easements for any purpose	As described under the proposed plan assessment.

CON-2

the boundary adjustment does not alter

<i>the ability of existing activities to continue to be permitted under the rules and standards in this District Plan;</i>	The existing activities uphold existing use rights pursuant to Section 10 RMA and the proposed boundary does not compromise those land use activities.
<i>the degree of non compliance with zone or district wide standards;</i>	There is no change to the degree of non-compliance with the zone or district wide standards.
<i>the number and location of any access</i>	There is no change in the number or location of any access.
<i>the number of certificates of title</i>	There is no increase in the number of titles.

CON-3

1. The boundary adjustment complies with standard:

SUB -S8 Esplanades

Any subdivision involving the creation of one or more allotments less than 4ha which adjoins:

1 - The line of MHWS;	N/A
2 - The bank of a river whose bed has an average width of 3m or more;	N/A
3 - A lake that is larger than 8 ha in size	N/A
An esplanade reserve must be provided with a minimum width of 20m, in accordance with section 230 of the RMA.	N/A

In summary, the proposed boundary adjustment is considered to uphold the Controlled Activity standards of the proposed district plan.

RESOURCE MANAGEMENT ACT 1991

FOURTH SCHEDULE - RMA

ASSESSMENT OF ENVIRONMENTAL EFFECTS

There is no use of hazardous substances.

There is no discharge of contaminants.

The proposal does not increase adverse effects on the environment or contribute negatively to existing effects.

The proposal overall is considered to present less than minor effects or effects arguably nil.

The proposal is not considered contrary to Part 2 purpose and principles of the RMA, and is not affected by matters of national importance.

The proposal has no impact on Local Iwi or Hapu Management plans. There are no heritage concerns, and the proposal does not concern Section 104 RMA, having no impact on matters listed under the Regional Policy Statement.

There is no impact on amenity values.

CLAUSE 6

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

(a) *if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

No concern.

(b) *an assessment of the actual or potential effects on the environment of the activity.*

No concern.

(c) *if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

(d) *if the activity includes the discharge of any contaminants, 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:*

Not applicable.

(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 effects:*

There are no issues to address.

- (f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

All effects are considered less than minor not to require consultation.

- (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:*

No monitoring is necessary.

- (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).*

No concern.

- (2)
A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

This is covered under the heading 'Northland Regional Policy Statement' below.

CLAUSE 7

7 Matters that must be addressed by assessment of environmental effects

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

- (a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

The proposal is considered to promote the zone guidelines and surrounding land use, without any unreasonable effects to concern the wider community including social and economic or cultural aspects.

- (b) *any physical effects on the locality, including any landscape, and visual effects.*

No concern.

- (c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The subdivision does not result in any habitat disturbance.

- (d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:*

The values outlined are not depleted.

There is no influence on Fisheries.

- (e) *any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:*

None.

- (f) *any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

To the best of our knowledge there are no concerns.

Overall, the proposal can occur without causing any significant effects contrary to the purpose and principles of the Resource Management Act 1991, and continues to respect social and economic wellbeing through improvement to the legal ownership of the site's physical infrastructure.

NORTHLAND REGIONAL POLICY STATEMENT

The Northland Regional Policy Statement presents underlying environmental guidelines for the northland region.

PART 3: OBJECTIVES

3.4 Indigenous ecosystems and biodiversity

Safeguard Northland's ecological integrity by:

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.*

There is no immediate risk to or impact on ecosystems.

6.1.1 Policy - Regional and district plans

Regional and district plans shall:

- (a) Only contain regulation if it is the most effective and efficient way of achieving resource management objective(s), taking into account the costs, benefits and risks;*
- (b) Be as consistent as possible;*
- (c) Be as simple as possible;*
- (d) Use or support good management practices;*
- (e) Minimise compliance costs and enable audited self-management where it is efficient and effective;*
- (f) Enable subdivision, use and development that accords with the Regional Policy Statement; and*
- (g) Focus on effects and where suitable use performance standards.*

The subdivision activity is small-scale absent of any unreasonable adverse effects on the environment.

There is no impact on production land or versatile soils.

The proposal is not seen to clash with the Regional Policy Statement and therefore should be assessed under Resource Consent on an enabling basis.

Aspects outlined under the National Environmental Standards for Freshwater 2020 are upheld not to trigger the need for land use consent under the Northland Regional Plan. There are no known wetlands on the property.

NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022

Highly productive land is to be protected for use in land based primary production, both now and for future generations, and is to be recognised as a resource with finite characteristics and long term values for land based primary production.

1.3 Interpretation

Highly productive land - means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

The properties neither have suitable area nor class 1 - 3 soils, and therefore are not subject to assessment under the NPS Highly Productive Land 2022.

CONCLUSION

The proposed boundary adjustment presents a low impact activity with no measurable adverse effects over and above those that accord with existing use rights, and for that reason the proposal is presented under the fast track provisions under Section 87AAC RMA.

Consent is required from the DLR to approved the proposed amalgamation condition, and two consent notices are required to be cancelled insofar as they related to proposed Lot 1.

The application is recommended for approval.



Micah Donaldson
MNZIS - Assoc. NZPI

DONALDSONS

Land / Engineering Surveyors and Development Planners





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




R.W. Muir
Registrar-General
of Land

Identifier **1048548**
Land Registration District **North Auckland**
Date Issued 20 December 2023

Prior References
77736

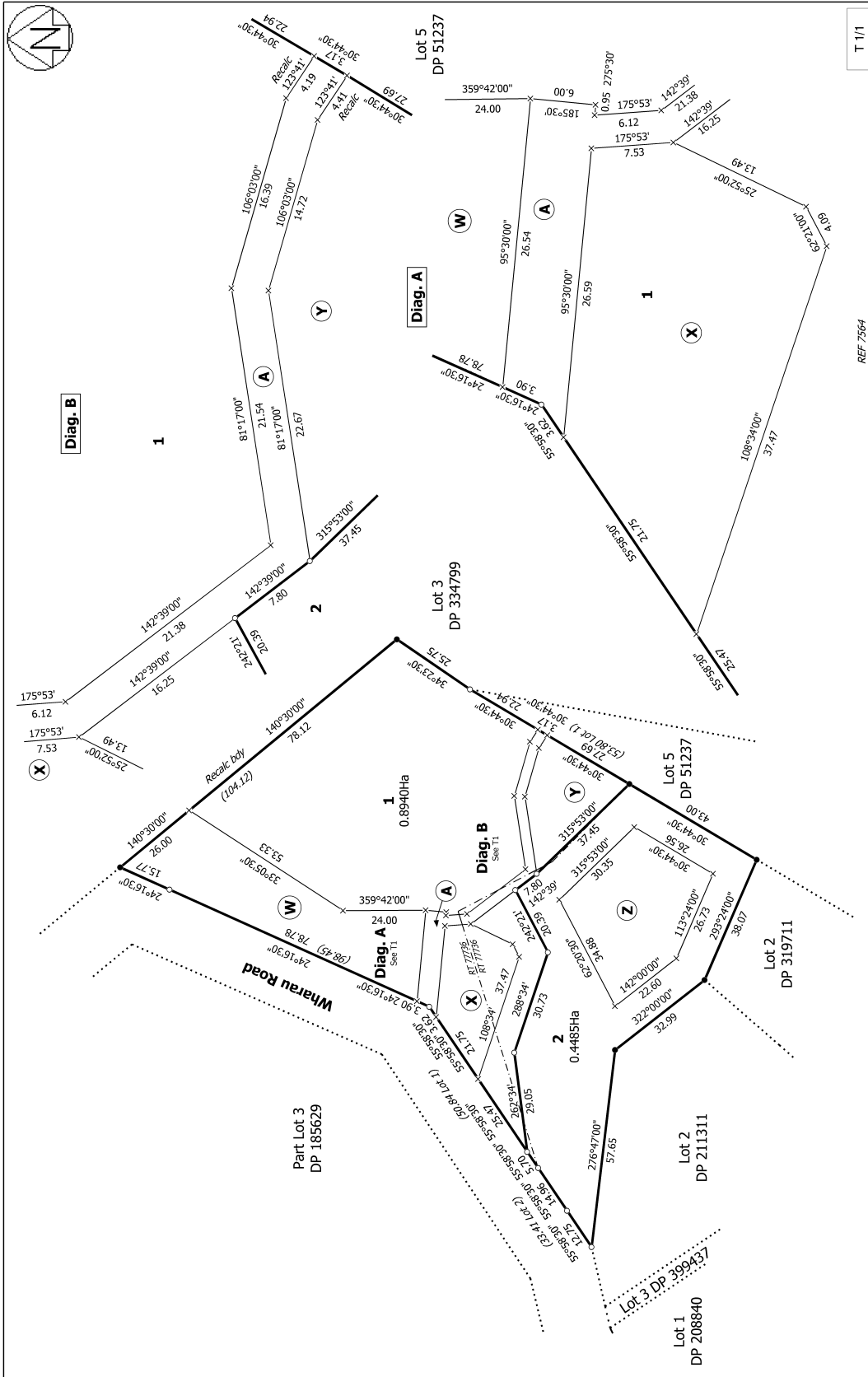
Estate Fee Simple
Area 4485 square metres more or less
Legal Description Lot 2 Deposited Plan 574123

Registered Owners

Sophie Florence Foster as to a 1/2 share
Glenn Andrew Walker as to a 1/2 share

Interests

D298371.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 3.8.1998 at 11.38 am
5249888.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 11.6.2002 at 9:00 am (affects part formerly Lot 1 DP 211311)
Land Covenant in Transfer 5249888.6 - 11.6.2002 at 9:00 am (affects part formerly Lot 1 DP 211311)
5728827.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 15.9.2003 at 9:00 am (affects part formerly Lot 1 DP 319711)
Land Covenant in Easement Instrument 5728827.5 - 15.9.2003 at 9:00 am (affects part formerly Lot 1 DP 319711)
12905239.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.12.2023 at 10:37 am



T 1/1

REF 7564

Land District: North Auckland
 Digitally Generated Plan
 Generated on: 23/01/2024 09:25am Page 3 of 3

Surveyor: Aaron Robert Donaldson
 Firm: Donaldsons

Lot 1 & 2 being a subdivision of Lot 1 DP 194156 and Lot 1 DP 319711

Title Plan
 DP 574123
 Deposited on: 20/12/2023

Quickmap Title Details



Information last updated as at 23-Jun-2024

RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

Identifier NA139B/608

Land Registration District North Auckland

Date Issued 11 June 2002

Prior References

NA123A/604

Type Fee Simple
Area 4031 square metres more or less
Legal Description Lot 2 Deposited Plan 211311

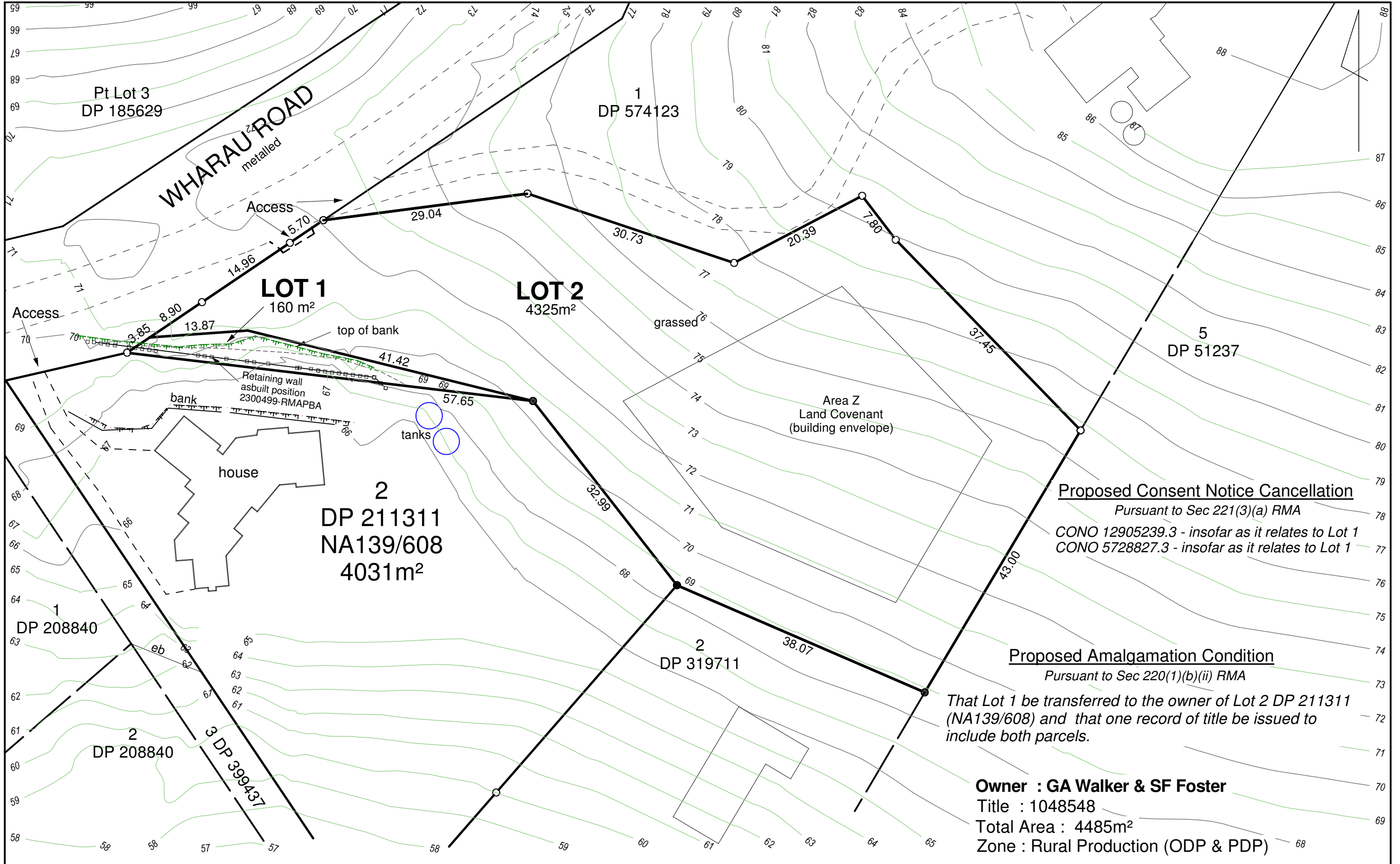
Registered Owners

Brian Joseph O'Shea as to a 1/1000 share
Leigh Mihikore Andrews as to a 999/1000 share

D298371.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 3.8.1998 at 11.38 am
Land Covenant in Transfer 5249888.6 - 11.6.2002 at 9:00 am
5249888.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 11.6.2002 at 9:00 am
Fencing Covenant in Transfer 5373315.2 - 15.10.2002 at 9:00 am
Land Covenant in Transfer 5373315.2 - 15.10.2002 at 9:00 am

The information provided on this report forms a guideline only. As a result, Custom Software Limited cannot and does not provide any warranties or assurances of any kind in relation to the accuracy of the information provided through this report,

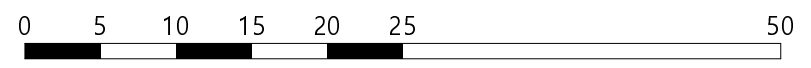
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Proposed Consent Notice Cancellation
 Pursuant to Sec 221(3)(a) RMA
 CONO 12905239.3 - insofar as it relates to Lot 1
 CONO 5728827.3 - insofar as it relates to Lot 1

Proposed Amalgamation Condition
 Pursuant to Sec 220(1)(b)(ii) RMA
 That Lot 1 be transferred to the owner of Lot 2 DP 211311 (NA139/608) and that one record of title be issued to include both parcels.

Owner : GA Walker & SF Foster
 Title : 1048548
 Total Area : 4485m²
 Zone : Rural Production (ODP & PDP)



Scale @ A3 : 1 : 500
 Contour interval : 1m
 Date : June 2024
 file 8469 BOUNDARY ADJUSTMENT.mjo

REF : 8469

**LOTS 1 & 2 BEING A PROPOSED
 SUBDIVISION OF LOT 2 DP 574123**





FAR NORTH DISTRICT COUNCIL



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC 2010331
The subdivision of
Lot 2 DP 194156
North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in 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 is to be registered on the appropriate titles of DP 211311.

SCHEDULE

To be registered on Lots 2 & 3

Any dwelling erected on the site will require foundations designed by a registered engineer and submitted in conjunction with the building consent application.
Any dwelling located on the site will require an aerobic package treatment plant to provide satisfactory treatment of wastewater prior to onsite disposal.

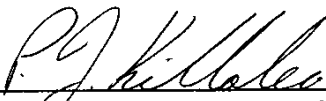
To be registered on Lots 1, 2, & 3

That prior to the lodgement of any building consents for buildings on the allotment a landscape plan is to be prepared which provides some visual screening of the building from the coastal marine area. The landscape plan is to be prepared by a suitably qualified person and submitted for the approval of the resource consents manager. The plan shall detail the planting program, species of plants, and maintenance programme.

That prior to the lodgement of any building consents for buildings on the allotment that a colour scheme for the proposed buildings is to be provided. The colours shall be

recessive and in general keeping with the immediate environment. The colour scheme is to be submitted for the approval of the Resource Consents Manager and implemented within 3 months of the construction. The colour scheme shall be maintained as long as the structure remains on the site.

SIGNED:


by the FAR NORTH DISTRICT COUNCIL
under delegated authority:
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this *1st* day of *February* 2002

RC 2010331
SRMCERT\3cdb221

CONO 5728827.3 Cor

Cpy - 01/01, Pgs - 002, 12/09/03, 16



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THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING

The subdivision of Lot 1
DP 211311 (North Auckland
Registry)

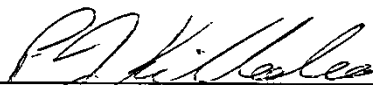
PURSUANT to Section 221 and for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by **THE FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the Schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and are to be registered on the new titles for Lots 1, 2 & 3 DP 319711 (C'sT 7735, 7736, & 7737).

SCHEDULE

- 1 That on site wastewater treatment and disposal within Lot 2 DP 319711 shall proceed in accordance with the recommendations in the TP58 report approved by Council in accordance with condition 1 of this consent. Except as required for the on site disposal and treatment of wastewater there shall be no disturbance of earth or alteration to the existing ground level in the areas on site identified for the disposal of wastewater in the above-mentioned Engineers report.
- 2 That prior to the lodgement of any building consents for buildings on Lot 2 DP 319711 a landscape plan is to be prepared which provides some visual screening of the building from the coastal marine area. The landscape plan is to be prepared by a suitably qualified person and submitted for the approval of the Resource Consents Manager. The plan shall detail the planting program, species of plants, and maintenance program.
- 3 That prior to the lodgement of any additional building consents for buildings on Lots 1 & 3 DP 319711 a landscape plan is to be prepared which provides some visual screening of the building from the coastal marine area. The landscape plan is to be prepared by a suitably qualified person and submitted for the approval of the Resource Consents Manager. The plan shall detail the planting program, species of plants, and maintenance program.

- 4 That prior to the lodgement of any building consents for buildings on Lot 2 DP 319711 a colour scheme for the proposed buildings exterior is to be provided for the approval of the Resource Consents Manager. The colours shall be recessive and in general keeping with the immediate environment. The building shall be finished in accordance with the approved colour scheme within 3 months of the completion of construction and shall be maintained as long as the structure remains on the site.
- 5 That prior to the lodgement of any additional building consents for buildings on Lots 1 & 3 DP 319711 a colour scheme for the proposed buildings exterior is to be provided for the approval of the Resource Consents Manager. The colours shall be recessive and in general keeping with the immediate environment. The building shall be finished in accordance with the approved colour scheme within 3 months of the completion of construction and shall be maintained as long as the structure remains on the site.

SIGNED:



By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this *10th* day of *April* 2003

RC 2030179
6395 IDB

D298371.2
CONO

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING - RC 1980103

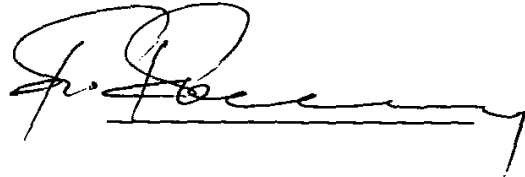
The subdivision of Lot 1 Deposited
Plan 818613 North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that the 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 is to be registered on the appropriate new Titles.

SCHEDULE

- (i) The registered proprietor of Lots 2 on Deposited Plan 186426 shall preserve the trees and bush now on the area 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 or suffer or permit the cutting down damaging or destruction of any such trees or bush. The registered proprietor shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the registered proprietor or for which the registered proprietor is responsible.
- (ii) Any application to construct a dwelling on Lot 1 Deposited Plan 186426 will require an aerated package treatment plant for treatment of waste water.

Signed for THE FAR NORTH DISTRICT COUNCIL under delegated authority



10th JUNE 1998

Date

Signed for CDB LIMITED

in the presence of:

Catherine M. Cleland

Witness:

Witness Name:

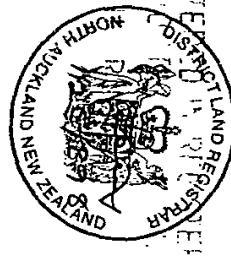
Occupation:

Address:

RICHARD ADRIAN AYTON
SOLICITOR
KERIKERI

11.38 03.AUG98 D 298371.2

PARTICULARS ENTERED IN THE
LAND REGISTER
ASST LAND REG



② COND \$38