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SURVEYORS AND RESOURCE  
PLANNERS

Our Reference: 10739.1 (FNDC)

16 April 2025

Resource Consents Department  
Far North District Council  
JB Centre  
KERIKERI

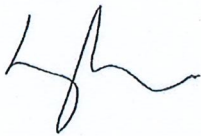
Dear Sir/Madam

**RE: Proposed Cancellation of Amalgamation Condition pursuant to s241(3) and proposed replacement Amalgamation Condition pursuant to s220(2)(a), resulting in no additional titles – Mahinepua Road, Kaeo – Ronaki Limited**

I am pleased to submit application on behalf of Ronaki Limited, for a proposed change in Amalgamation Conditions such that a small title currently held with one adjacent title transfers to be held with a different adjacent title. No additional titles result. The proposal meets the controlled activity boundary adjustment requirements of the Operative District Plan.

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

Regards



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





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 Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

## 1. Pre-Lodgement Meeting

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

## 2. Type of Consent being applied for

*(more than one circle can be ticked):*

- Land Use
- Fast Track Land Use\*
- Subdivision
- Consent under National Environmental Standard  
(e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) Cancellation & New Amalgamation Conditions pursuant to s241(3) & s220
- Discharge
- Change of Consent Notice (s.221(3))
- Extension of time (s.125)

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

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

Yes  No

## 4. Consultation

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

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



## 5. Applicant Details

**Name/s:**

Ronaki Limited

**Email:**

**Phone number:**

**Postal address:**

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

## 6. Address for Correspondence

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

**Name/s:**

Lynley Newport

**Email:**

**Phone number:**

**Postal address:**

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

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

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

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

**Name/s:**

As per Item 5 above

**Property Address/  
Location:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Postcode



## 8. Application Site Details

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

<b>Name/s:</b>	as per Item 5		
<b>Site Address/ Location:</b>	42A Mahinepua Road		
	KAEO		
	<b>Postcode</b>		0478
<b>Legal Description:</b>	Lot 1 DP 421176 & 1 DP 116617	<b>Val Number:</b>	and Lot 4 DP 116617
<b>Certificate of title:</b>	480925 & NA66B/544		

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.

There is a combination code on the gate, the code is [REDACTED]. Please contact applicant or agent prior to any site visit to obtain code.

## 9. Description of the Proposal:

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

Cancellation of existing Amalgamation Condition pursuant to s241(3) of the Act; and imposition of new Amalgamation Condition pursuant to 220(2)(a)

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

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

Yes  No



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

(more than one circle can be ticked):

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

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

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

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

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

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

### 13. Assessment of Environmental Effects:

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

Your AEE is attached to this application  Yes

### 13. Draft Conditions:

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

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



## 14. Billing Details:

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

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

Jonathan Rhodes

**Email:**

**Phone number:**

**Postal address:**

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

### Fees Information

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

### Declaration concerning Payment of Fees

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

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

Jonathan David Rhodes

**Signature:**

(signature of bill payer)

**Date** 15 April 2025

**MANDATORY**

## 15. Important Information:

### Note to applicant

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

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

### Fast-track application

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

### Privacy Information:

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



### 15. Important information continued...

#### Declaration

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

Name: (please write in full)

jonathan Rhodes

Signature:

[Redacted Signature]

Date 15 april 2025

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

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

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

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



**Ronaki Limited****ADJUSTING BOUNDARIES by way of  
Cancellation of existing Amalgamation Condition  
and  
Imposition of replacement Amalgamation Condition****Mahinepua Road, KAEO****PLANNER'S REPORT &  
ASSESSMENT OF ENVIRONMENTAL EFFECTS**Thomson Survey Ltd  
Kerikeri**1.0 INTRODUCTION****1.1 The Proposal**

The applicants plan to alter amalgamation conditions relating to two existing Records of Title such that a 1138m<sup>2</sup> parcel of land, currently amalgamated with a title across the road, is instead amalgamated with its adjacent title on the same side of the road. Both existing Records of Title are held in the same ownership. Both existing Records of Title have formed access off Mahinepua Road and internally.

The table below shows the current situation and the proposed situation. An additional column shows the current (ODP) zoning applying to the land (in each scenario).

<b>Current</b>	<b>Land area</b>	<b>Zoning</b>	<b>Proposed</b>	<b>Land area</b>	<b>Zoning</b>
Lot 1 DP 421176 Lot 1 DP 116617 (amalgamated)	4.1138ha	Gen Coastal Coastal Living (split zoning)	Lot 1 DP 421176	4ha	Gen Coastal
Lot 4 DP 116617	4.1470ha	Coastal Living	Lot 4 DP 116617 Lot 1 DP 116617	4.26ha	Coastal Living

The draft 'scheme plan' is attached in Appendix 1. This does not alter any boundary or attribute any new appellations. It records the proposed cancellation of the existing Amalgamation Condition, and the imposition of new replacement Amalgamation Condition to read:



"That Lots 1 & 4 DP 116617 are to be held in the same Certificate of Title".

This change does not result in any additional Titles. It does not subdivide an allotment either and might therefore not be considered a "subdivision" as defined under the RMA. However, it does represent a change in Title areas and it does require the consent of the Council, hence this application.

## 1.2 Scope of this Report

This assessment and report accompanies the Resource Consent Application, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent from the Council for a change in Amalgamation Conditions, effectively shifting 1138m<sup>2</sup> from one Record of Title to another Record of Title.

The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. The name and address of the owner of the property is contained in the Form 9 Application form.

## 2.0 PROPERTY DETAILS

Location:	42A Mahinepua Road, Kaeo – refer Appendix 2 for Location Map
Legal description:	Lot 1 DP 421176 & Lot 1 DP 116617; and Lot 4 DP 116617, contained in Records of Title 480925 and NA66B/544. Refer to Appendix 3.

## 3.0 SITE DESCRIPTION

### 3.1 Physical characteristics

The sites are located on either side of Mahinepua Road – refer to Location Map. There is a well formed and gated entrance to the eastern Lot 1 DP 421176. This parcel of land accommodates a well formed right of way access to a dwelling on the adjacent property (Lot 2 DP 421176) but is otherwise vacant land. The land in this parcel is flat near the entrance and along the Mahinepua Creek boundary, sloping upwards to the south away from the creek. It is predominantly in pasture, but with exotic tree plantings.

The land to be amalgamated into a single title on the west side of Mahinepua Road displays similar physical characteristics in that the land is flat near the creek, but rises to the south and east. There is an existing formed metal entrance into the site, with two shed buildings located just inside the property boundary. Beyond those on sloping north facing land, the applicants have established a vineyard.



### 3.2 Mapped features

One side of Mahinepua Road is zoned Coastal Living in the Operative District Plan (ODP), and the other General Coastal. The current Record of Title 480925 has a split zoning due to including a parcel on either side of the road. No resource features apply.

The Proposed District Plan (PDP) has recognised the anomaly and included the smaller Lot 1 DP 116617 in the same zone applying to Lot 1 DP 421176, namely Rural Production. Lot 4 DP 116617 has a Rural Lifestyle Zone under the PDP. The northern portion of Lot 1 DP 421176 is within the coastal environment overlay, with the balance outside of that overlay. Both Lots 1 & 4 DP 116617, on the western side of the road, are outside the coastal environment overlay. There are no natural environment overlays applying to the application sites.

Both properties have areas mapped as susceptible to Coastal and River Flood Hazard. Both properties have abundant raised land outside of such areas.

Nearly all of the land within the sites is mapped as LUC Class 6. The exception is the creek flats in the northern end of Lot 4 DP 116617, which are mapped as LUC class 3w due to the alluvial nature of the soil in this vicinity (adjacent to a creek).

The site is identified on the FNDC's Far North Maps, Species Distribution layer, as being within a 'high density kiwi' area. The FNDC's Far North Maps, Historic Sites layer identifies an archaeological site at the northern (lower) end of Lot 4 DP 421176 (P04/128). This is a single 'terrace' located near the creek. There are no other heritage resources mapped on the site and no other Sites of Significance to Maori.

The site is not within any Treaty Settlement Statutory Acknowledgement Area or Treaty Settlement Area of Interest (Source: Proposed District Plan).

### 3.3 Legal Interests

Record of Title 480925 is subject to, and has reciprocal, right of way (B217080.1), registered 1983. Right of Way instrument B660597.3 was registered on the title in 1987. This can be cancelled as the burdened and benefitted land is all now proposed to be in the same title through this change in amalgamation arrangements. RC 480925 is subject to, and has reciprocal rights via instrument 8326177.9, registered in 2010. Record of Title NA66B/544 is benefitted by B660597.3 but will not longer need to be given that the land over which that easement runs will be in the same title.

### 3.4 Consent History

Lot 1 DP 421176 was one of three lots created by RC 2090648, boundary adjustment subdivision consent issued in 2009. The right of way that Lot 1 DP 421176 is subject to was



consented in 2024, via 3002212-LGA348. I have not been able to locate any building consent records for either title.

#### 4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

##### Clauses 2 & 3: Information required in all applications

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Sections 1 and 6 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Sections 7 & 8 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Section 3 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	The application is to change the overall boundaries of two existing Records of Title by means of cancellation and replacement Amalgamation Conditions.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	Nil required.
<i>(f) an assessment of the activity against the matters set out in Part 2:</i>	Refer to Section 7 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i>  <i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i>	Refer to Section 7.
<i>(3) An application must also include any of the following that apply:</i>	
<i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted</i>	N/A.



Boundary Adjustment – Change of Amalgamation Conditions

<p>activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):</p> <p>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</p> <p>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</p>	
<p>(4) An application for a subdivision consent must also include information that adequately defines the following:</p>	
<p>(a) the position of all new boundaries:                  (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:                  (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:                  (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:                  (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:                  (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):                  (g) the locations and areas of land to be set aside as new roads.</p>	<p>Refer to Scheme Plans in Appendix 1.</p>

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

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



## Boundary Adjustment – Change of Amalgamation Conditions

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

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

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



Boundary Adjustment – Change of Amalgamation Conditions

(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:	Refer to section 6 for (a)-(d)
(b) any physical effect on the locality, including any landscape and visual effects:	
(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:	
(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:	
(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:	The proposal will not result in the discharge of contaminants, nor any unreasonable emission of noise.
(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	The application site is not subject to hazard to a degree that impacts on the proposal. The proposal does not involve hazardous installations.

## 5.0 COMPLIANCE ASSESSMENT

### 5.1 Operative District Plan (ODP)

The proposal seeks to change the areas between two Records of Titles and is assessed against Rule 13.7.1 of the ODP:

#### **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; and*

*(b) there is no increase in the number of certificates of title; and*

*(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; and*

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*(d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and*

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

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

Part (a) is complied with as there is no change in the number or location of access to the lots;

Part (b) is met as there is no increase in the number of certificates of title (two for two);

Part (c) is met because Record of Title 480925 is already less than the restricted discretionary minimum lot size of 20ha in the General Coastal Zone and would be regarded as a non complying lot size. The degree of non compliance is not affected. The part of the title zoned GC is 4ha in area and will remain 4ha. The Coastal Living zoned adjusted lot will be in excess of 4ha and comply with that zone's controlled activity minimum lot size.

Part (d) is met in that the lots are contiguous.

Part (e) is met as all boundary adjusted sites are capable of complying with all relevant land use rules.

Part (f) is met as all existing on site drainage systems will be contained within the boundary adjusted titles.

In summary I consider the boundary adjusted titles can meet all parts of 13.7.1 and therefore be regarded as a controlled activity pursuant to that rule.

## **5.2 Proposed District Plan (PDP)**

The FNDC publicly notified its PDP on 27<sup>th</sup> July 2022. Whilst the majority of rules in the PDP will not have legal effect until such time as the FNDC publicly notifies its decisions on submissions, there are certain rules that have been identified in the PDP as having immediate legal effect and that may therefore need to be addressed in this application and may affect the category of activity of the application under the Act.

Rules identified by the Council as having legal effect include:

- Hazardous substances on scheduled sites or areas of significance to Maori, significant natural areas or a scheduled heritage resource.
- Heritage Area Overlays
- Historic Heritage rules and Schedule 2
- Notable Trees



- Sites and Areas of Significance to Maori
- Ecosystems and Indigenous Biodiversity
- Subdivision (specific parts)
- Activities on the surface of water
- Earthworks
- Signs
- Orongo Bay Zone

The proposed change of amalgamation conditions does not involve any of the above rules. In summary, I have not identified any breaches of rules in the PDP that have legal effect.

There are no zone rules within the Rural Production or Rural Lifestyle Zones with immediate legal effect, nor any rules applying to the Coastal Environment that have legal effect.

## **6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

The proposal is a controlled activity under the ODP. In assessing the effects of a controlled activity, the following matters are taken into account.

### **6.1 Property Access**

Access is existing and well formed in both instances (both titles). There is no need to upgrade or improve access, especially when noting there is no additional or intensified use envisaged. No conditions proposed.

### **6.2 Natural and other hazards**

The change to amalgamation conditions does not result in any increased ability to develop or intensify. The sites are not subject to erosion, landslip, rockfall, subsidence or fire hazard. The sites are elevated sufficiently, and far enough inland, to not be affected by sea level rise.

The sites have areas identified as being subject to coastal or river flood hazard (flooding /inundation risk). However, this is the existing scenario and nothing in the proposal affects where development may or may not occur within the site already. In terms of alluvion and avulsion, this would only occur in the same areas identified as potentially susceptible to flooding and the same comment applies.

I am unaware of any unconsolidated fill or soil contamination.

In summary the proposal does not increase the risk from natural hazards and, just as is the case now, development can occur on the two adjusted titles clear of any area subject to the only identified hazard, which is flooding/inundation. No conditions proposed.

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### **6.3 Water Supply**

The proposal simply preserves the status quo in terms of land use. Development within the adjusted lots will be able to provide their own individual water supply. No conditions proposed.

### **6.4 Stormwater Disposal**

Given that no additional lots are created and no extra development therefore proposed, there is no need to assess stormwater management. At time of building consent on either lot, there will be a requirement to provide for appropriate stormwater management, just as is the case now. No conditions proposed.

### **6.5 Sanitary Sewage Disposal**

As above. At time of building consent for any development requiring wastewater treatment and disposal, provision can (and will) be made for that treatment and disposal, just as it is required now. No conditions proposed.

### **6.6 Energy Supply (including transmission lines) and Telecommunications**

No new lots are being created. There is no requirement to provide for energy supply or telecommunications. No conditions proposed.

### **6.7 Easements for any Purpose**

No new easements are proposed or required because of the change to amalgamation conditions. An existing easement over Lot 1 DP 116617 in favour of Lot 4 DP 116617 is proposed to be cancelled given that both parcels will be held in the same title. Existing easements affecting Lot 1 DP 421176 remain unaffected.

### **6.8 Preservation and Enhancement of Heritage Resources, Vegetation, Fauna and Landscape, and Land Set Aside for Conservation Purposes**

The sites contain none of the items listed in 13.7.3.9 (a)-(g). No new or additional titles are created and the proposal will have no adverse effect on any heritage or cultural values, nor on any flora or fauna. No conditions imposed.

### **6.9 Access to Waterbodies**

No additional or separate allotment (i.e. that can be held in a separate Record of Title) of area less than 4ha is created. There is no requirement to provide for access to waterbodies.



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### **6.10 Land Use Incompatibility**

Given that the change to amalgamation conditions does not change anything in regard to land use, nor alter the potential for different land uses from what exists currently, there is no risk of increased land use incompatibility.

### **6.11 Proximity to Airports**

The site is not near any airport.

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

The Title to be on the eastern side of Mahinepua Road is partially within the coastal environment. The title to be on the western side is not. The minor boundary change does not affect the amount of land, or number of titles within the coastal environment and therefore has no impact on natural character values.

## **7.0 STATUTORY ASSESSMENT**

### **7.1 Operative District Plan Objectives and Policies**

Objectives and policies relevant to this proposal are those in Chapter 13 Subdivision, and Chapters 10.6 General Coastal & 10.7 Coastal Living. As a controlled activity the proposal must be considered consistent with the objectives and policies of the ODP.

The proposal does not affect the land area to be within each zone. It is an appropriate change to boundaries as it removes a split zoning from one Title. The proposal has no impact on natural character (10.6.3.1 & 10.6.3.2). It is a better utilisation of land (10.6.3.3).

The proposal continues to provide for the activities the land currently supports (10.6.4.1) and has no impact on visual and landscape qualities of the coastal environment (10.6.4.2). There are no adverse effects to be avoided, remedied or mitigated (10.6.4.4). No earthworks is required (10.6.4.6).

In regard to land within the Coastal Living Zone, this will now all be in one title. The title is larger than the controlled activity minimum lot size and low density development can occur in the future without adverse effects (10.7.3.1 & 10.7.3.2). The proposal creates no adverse effects required to be avoided, remedied or mitigated (10.7.4.1). The provision of infrastructure and services is not a consideration given that no additional development rights are being created (10.7.4.2).

The titles are consistent with the objectives and policies in Chapter 13. No additional title or development rights are being created and the adjustment is sensible and practical, placing all land on one side of the road in one title, and land on the other side in one title. The proposal has no adverse effects requiring avoiding, remedying or mitigating.

## 7.2 Proposed District Plan Objectives and Policies

The property on the east of Mahinepua Road has a Rural Production Zone under the Proposed District Plan (PDP) and has a partial Coastal Environmental Overlay. The property on the west has, for the most part, been zoned Rural Lifestyle, with the small parcel that is the subject of the change in amalgamation conditions, having a Rural Production Zoning. This is only 1138m<sup>2</sup> of land, already supporting buildings. This land (to the west of the road) is not within the coastal environment.

An assessment of the proposal aspect against relevant objectives and policies in the PDP's subdivision chapter follows:

I believe that the proposal will achieve the efficient use of land in each zone, and contribute to local character. I do not foresee reverse sensitivity becoming an issue and the proposal, which creates no new or additional titles, will not prevent the continued use of adjacent land for its current purpose. Risk from natural hazards is not increased and there are no adverse effects to be managed (SUB-O1).

The proposal does not fragment or sterilise the small part of the application site that is potentially highly productive land (albeit flood prone). The proposal does not affect any outstanding natural landscape values, wetlands, lake or river margins, indigenous vegetation or sites of significance to Maori or heritage values (SUB-O2)

On-site infrastructure is not a consideration, given no additional titles are being created (SUB-O3.) There is no requirement for esplanade (SUB-O4).

The proposal is consistent with the boundary adjustment provisions in the PDP, other than lot size. However, non compliance already exists and the change to title boundaries does not alter the degree of that non compliance (SUB-P1). I do not believe SUB-P3 is relevant where no new/additional allotments or titles are being created and where the areas of the existing titles are not greatly altering. The titles continue to provide for more than one suitable building platform and have existing access.

The proposal has no adverse effects on natural environment values, historical or cultural values, or hazards (SUB-P4). No additional infrastructure is required (SUB-P6). No esplanade is required (SUB-P7). The proposal does not create any additional rural lifestyle lots (SUB-P8). With no consent required under the PDP and no adverse effects (due to no additional development occurring) I do not consider SUB-P11 to be overly relevant.

No land use activity is proposed in either the Rural Production or Rural Lifestyle Zone as a result of this change in title boundaries. Any land with an LUC 3 (limited area) is not fragmented or sterilised by the proposal. Existing rural production activities on the site can continue. The proposal does not exacerbate natural hazards and there is no requirement for any additional on-site infrastructure (RPROZ-O3).

The proposal has no impact on rural character and amenity values (RPROZ-O4).



The proposal does not increase the risk of reverse sensitivity (RPROZ-P3) and does not adversely affect rural character or amenity (RPROZ-P4).

RPROZ-P6 is not overly relevant in the circumstances and noting that it is only a small area of land that is shifting from one lot to another. No fragmentation or sterilisation of soils results and there is nil impact on the productive capacity of any land.

The title to be on the western side of Mahinepua Road is zoned Rural Lifestyle under the PDP. This zone supports low density residential and small scale farming activities, which the proposal is entirely consistent with and will promote (RLZ-O1; RLZ-O2 & RLZ-P1). The risk of incompatible activities establishing is not increased (RLZ-O3 & RLZ-P2; RLZ-P3) and rural use can continue (RLZ-O4).

Only a portion of the vacant title on the east side of Mahinepua Road is within the Coastal Environment. This proposal does nothing to affect the natural character of the coastal environment. It remains consistent with the surrounding land use and does not intensify the use of the land. The land doesn't display any high or outstanding landscape or natural values. In short the proposal is consistent with the Coastal Environment's objectives and policies.

### **7.3 Part 2 Matters**

The proposal is considered to provide for the sustainable management of natural and physical resources (s5).

I consider the proposal to be an appropriate minor change of boundaries that has no adverse effect on any S6 or s7 matter.

The principles of the Treaty of Waitangi have been considered and it is believed that this proposal does not offend any of those principles. It represents a 'no change' scenario (s8).

### **7.4 NZ Coastal Policy Statement**

The NZ Coastal Policy Statement (NZCPS) has relevance to this proposal due to the property having a portion within the coastal environment. However, the proposal does not create additional lots or development and is not for any land use. It simply makes a minor change to land held in existing titles. Given this I consider the proposal to be consistent with the NZ Coastal Policy Statement's objectives and policies.

### **7.5 National Policy Statements and Environmental Standards**

I have not identified any national policy statements that need be considered in regard to this proposal. The land to the west of Mahinepua Road supports a small scale vineyard. I have not enquired as to whether this is organic or whether it might involve the storage or use of persistent pesticides. This is because I do not believe the proposal is any of the activities listed under the National Environmental Standard for Assessing and Managing Contaminants in Soil

to Protect Human Health (NES-CS) and therefore the NES-CS does not apply. Whilst assessing the proposal as if it were a subdivision, the proposal does not in fact subdivide any allotment or title; there is no change in land use; and no soil disturbance.

## **7.6 Regional Policy Statement for Northland**

In preparing this application, the Regional Policy Statement for Northland has been considered. For reasons outlined earlier in this report, the proposal is not contrary to any of the objectives and policies of the Regional Policy Statement.

## **8.0 s95A-E ASSESSMENT**

### **8.1 S95A Public Notification Assessment**

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Step 1 specifies when public notification is mandatory in certain circumstances. No such circumstances exist. Step 2 of s95A specifies the circumstances that preclude public notification. No such circumstance exists and Step 3 of s95A must be considered. This specifies that public notification is required in certain circumstances. The application is not subject to a rule or national environmental standard that requires public notification. This report and AEE concludes that the activity will not have, nor is it likely to have, adverse effects on the environment that are more than minor. In summary public notification is not required pursuant to Step 3 of s95A.

### **8.2 S95B Limited Notification Assessment**

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. None exist in this instance.

Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstance exists and Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified. The application is not for a boundary activity (by definition in the Act). The s95E assessment below concludes that there are no affected persons to be notified. There is no requirement to limited notify the application pursuant to Step 3.

### **8.3 S95D Level of Adverse Effects**

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



---

## 8.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity. No written approvals have been sought in this instance.

The activity is a controlled activity involving the transferral of a minimal area of land from one title to another. This has no adverse effects on any adjacent property. The proposal does not intensify development and is not a land use. No pre lodgement consultation is required with tangata whenua, Heritage NZ, or Department of Conservation.

## 9.0 CONCLUSION

The proposal is a minor change to the amount of land held in two titles. Effects on the wider environment are less than minor. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans, the NZ Coastal Policy Statement, and the Regional Policy Statement, as well as Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval to the proposal to cancel an existing amalgamation condition and to impose a new amalgamation condition.



Lynley Newport  
**Senior Planner**  
Thomson Survey Ltd

Date 16<sup>th</sup> April 2025

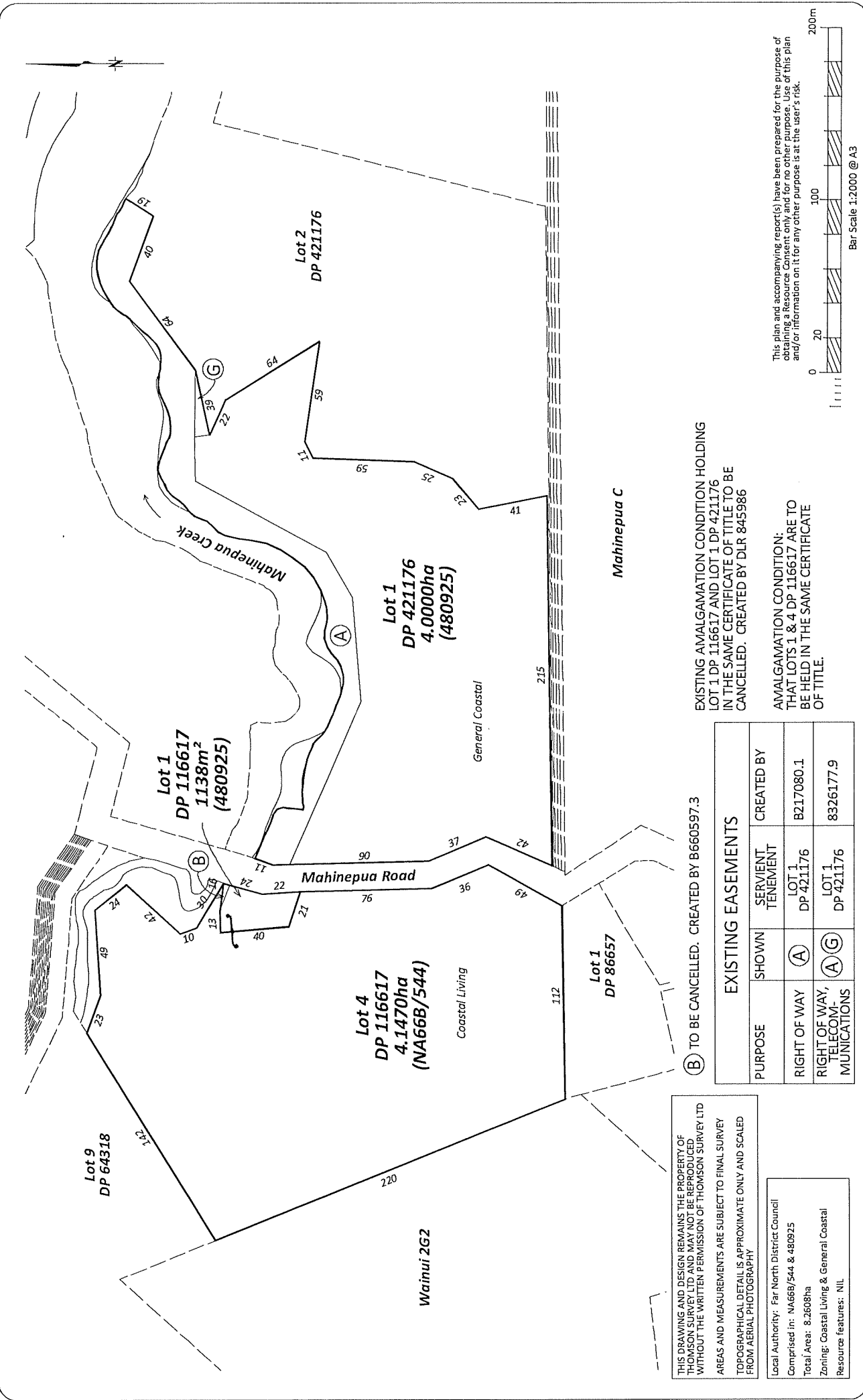
## 10.0 APPENDICES

- |                   |   |
|-------------------|---|
| <b>Appendix 1</b> | Scheme Plan(s)                            |
| <b>Appendix 2</b> | Location Map                              |
| <b>Appendix 3</b> | Records of Title and Relevant Instruments |

# **Appendix 1**

## Scheme Plan(s)





EXISTING AMALGAMATION CONDITION HOLDING  
 LOT 1 DP 116617 AND LOT 1 DP 421176  
 IN THE SAME CERTIFICATE OF TITLE TO BE  
 CANCELLED. CREATED BY DLR 845986

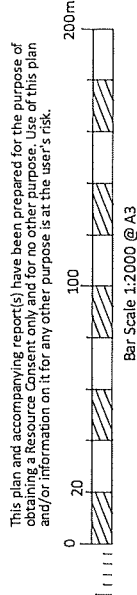
AMALGAMATION CONDITION:  
 THAT LOTS 1 & 4 DP 116617 ARE TO  
 BE HELD IN THE SAME CERTIFICATE  
 OF TITLE.

(B) TO BE CANCELLED. CREATED BY B660597.3

EXISTING EASEMENTS		
PURPOSE	SHOWN	SERVIENT TENEMENT
RIGHT OF WAY	(A)	LOT 1 DP 421176
RIGHT OF WAY, TELECOM-MUNICATIONS	(A)(G)	LOT 1 DP 421176
		8326177.9

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD  
 AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY  
 TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council  
 Comprised in: NA66B/544 & 480925  
 Total Area: 8.2608ha  
 Zoning: Coastal Living & General Coastal  
 Resource features: NIL



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

Surveyors Ref. No:  
**10739**  
 Sheet 1 of 1

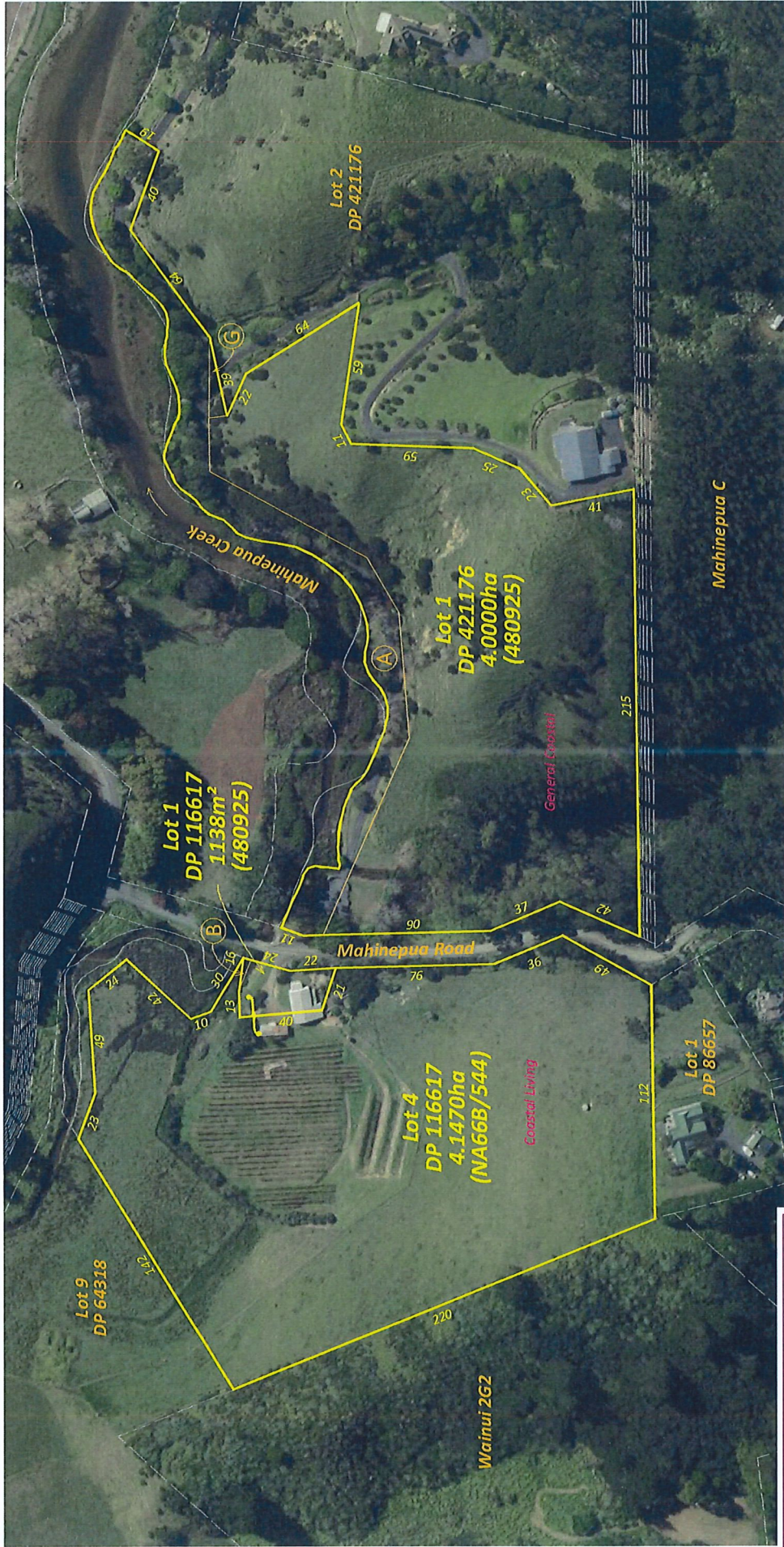
Survey	Name	Date	ORIGINAL SHEET SIZE
Design			
Drawn	KY	07.04.25	1:2000
Approved			
Rev			

10739 Scheme

**PROPOSED SUBDIVISION OF  
 LOTS 1 & 4 DP 116617 & LOT 1 DP 421176**  
 MAHINEPUA ROAD  
 PREPARED FOR: RONAKI LTD

**THOMSON SURVEY**  
 Limited  
 315 Kerikeri Rd  
 P.O. Box 372 Kerikeri  
 Email: [ronaki@thomsonsurvey.co.nz](mailto:ronaki@thomsonsurvey.co.nz)  
 Ph: (09) 4072360  
[www.thomsons.co.nz](http://www.thomsons.co.nz)  
 Registered Land Surveyors, Planners & Land Development Consultants





THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD  
 AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY  
 TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council  
 Comprised in: NA66B/544 & 480925  
 Total Area: 8.2608ha  
 Zoning: Coastal Living & General Coastal  
 Resource features: NIL

(B) TO BE CANCELLED. CREATED BY B660597.3

EXISTING EASEMENTS		
PURPOSE	SHOWN	SERVIENT TENEMENT
RIGHT OF WAY	(A)	LOT 1 DP 421176
RIGHT OF WAY, TELECOM- MUNICATIONS	(A)G	LOT 1 DP 421176

EXISTING AMALGAMATION CONDITION HOLDING  
 LOT 1 DP 116617 AND LOT 1 DP 421176  
 IN THE SAME CERTIFICATE OF TITLE TO BE  
 CANCELLED. CREATED BY DLR 845986

AMALGAMATION CONDITION:  
 THAT LOTS 1 & 4 DP 116617 ARE TO  
 BE HELD IN THE SAME CERTIFICATE  
 OF TITLE.

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



**THOMSON SURVEY**  
 Limited  
 315 Kerikeri Rd  
 P.O. Box 372, Kerikeri  
 Far North District Council  
 Phone: (09) 4073360  
 www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

## PROPOSED SUBDIVISION OF LOTS 1 & 4 DP 116617 & LOT 1 DP 421176 MAHINEPUA ROAD

PREPARED FOR: RONAKI LTD

Survey	Name	Date	ORIGINAL SHEET SIZE
Design			SCALE
Drawn	KY	07.04.25	1:2000
Approved			A3
Rev			

10739 Scheme

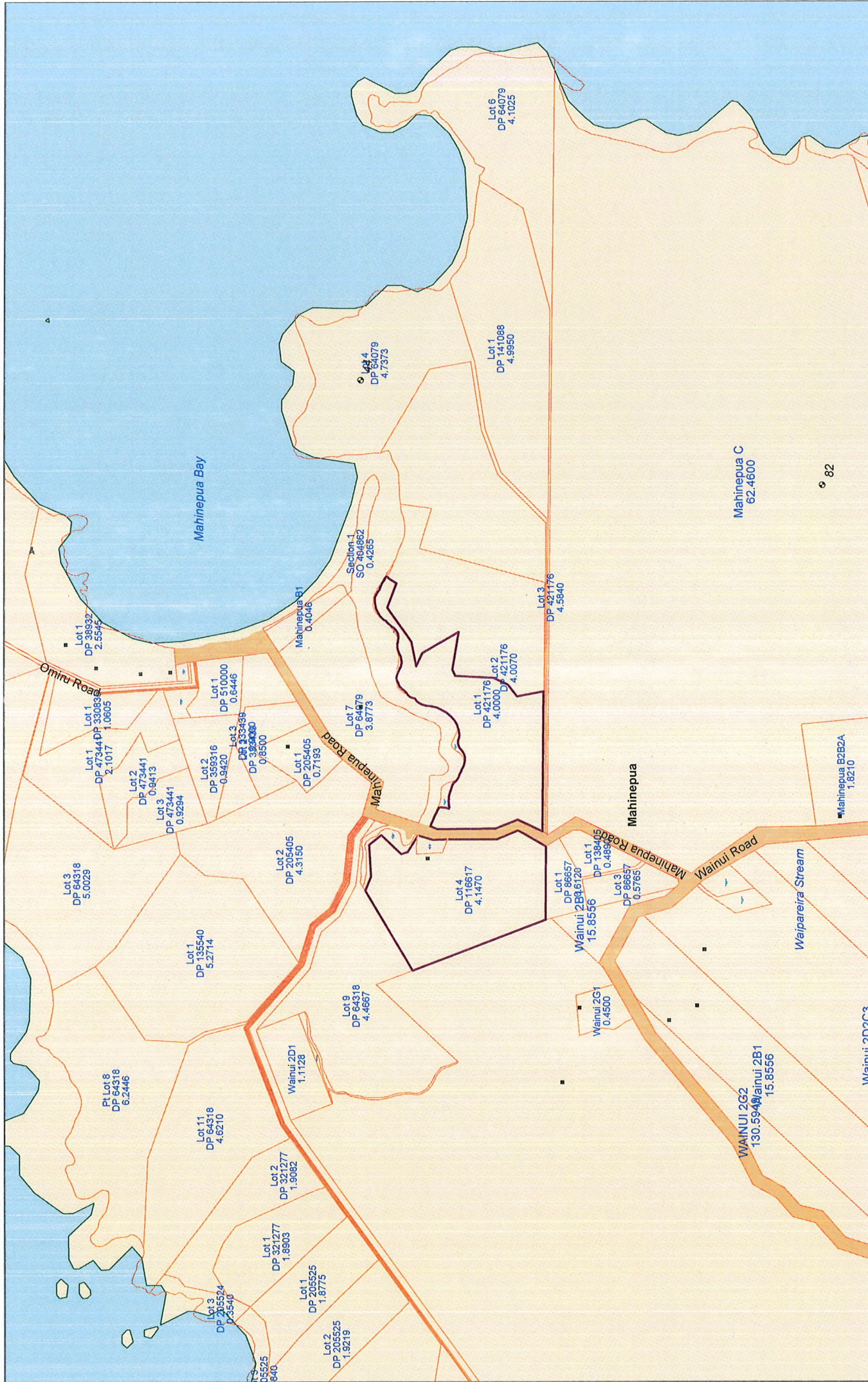
Surveyors Ref. No: 10739  
 Sheet 1 of 1



## **Appendix 2**

### Location Map





Any person wishing to rely on the information shown on this map must independently verify the information  
Topographical and Cadastral map derived from LINZ data. Printed: 15-Apr-2025 11:20.  
Scale 1:7500





# **Appendix 3**


## Records of Title and Relevant Instruments





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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA66B/544  
**Land Registration District** North Auckland  
**Date Issued** 05 May 1987

**Prior References**  
NA26D/1088

---

**Estate** Fee Simple  
**Area** 4,1470 hectares more or less  
**Legal Description** Lot 4 Deposited Plan 116617

**Registered Owners**  
Ronaki Limited

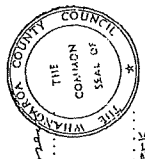
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**Interests**

Appurtenant hereto is a right of way specified in Easement Certificate B660597.3 - 5.5.1987 at 2.37 pm  
The easements specified in Easement Certificate B660597.3 are subject to Section 309 (1) (a) Local Government Act 1974

Approved *Robert Bryant*  
*Ranika LTO*  
 Registered Owners

Pursuant to a resolution of the Whangaroa County Council passed on the 14th day of November 1986 approving pursuant to Section 305 of the Resource Management Act 1976 this survey plan subject to the conditions of amalgamation set out hereon and conditional upon the granting of reserving of the easements shown in the memorandum of survey plan in accordance with the requirements and provisions of the operative district scheme for the area to which the survey plan relates the Common Seal of the Whangaroa County Council is affixed hereto in the presence of:



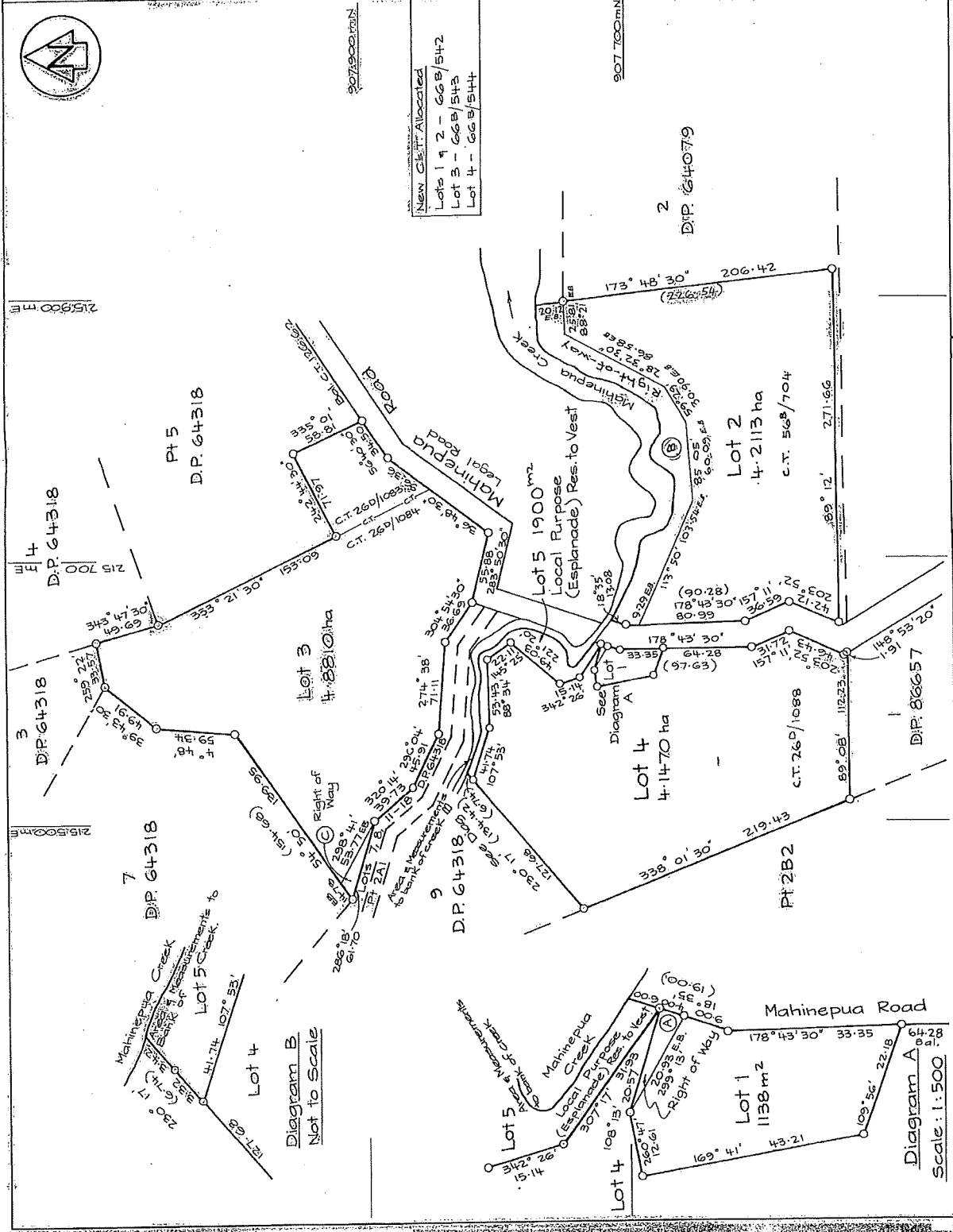
*A. J. ...*  
 Chairman  
*...*  
 County Clerk

**Amalgamation Condition**  
 That Lot 1 herein be held in the same ownership as Lot 2 and that to include both parcels.  
 See : A 626787

Memorandum of Easement

Purpose	Shown	Serv. Ten.	Dom. Ten.
Right of Way	(A)	Lot 1 hereon	Lot 4 hereon
Existing Easement	(B)	Created by Purpose Shows B 418085-1	
Right of Way	(C)	Transfer 162845-1	
Total Area	13.2553 ha		
Comprised in	G.S. 56/108 (AN) 260/1088 (PT) 260/1088 (AN) 260/1088 (AN) 260/1088 (AN)		

*Robert Bryant*  
 Registered Surveyor and holder of an annual practicing certificate (or who may act as a registered surveyor pursuant to the proviso to section 31(2) of the Surveyors Act 1968) hereby certifies that this plan has been made from surveys executed by me or under my direction, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972.  
 Dated at Whangaroa, this 30<sup>th</sup> day of September 1987.  
*Robert Bryant*  
 of 5 Campbell St. Signature  
 Reference Plans  
 Examined *D. ...* District Registrar  
 Approved as to Survey *...* Chief Surveyor  
 Deposited this 30<sup>th</sup> day of December 1987  
 Received *...* District Registrar  
 DP: 116617

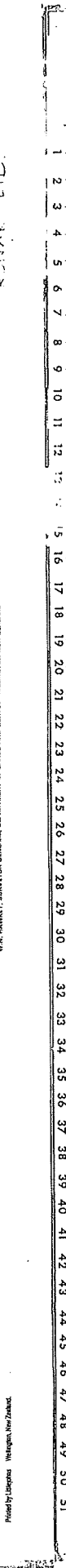


**New City Allocated**  
 Lots 1 & 2 - 66B/512  
 Lot 3 - 66B/513  
 Lot 4 - 66B/514

TERRITORIAL AUTHORITY Whangaroa County  
 Surveyed by *Robert Bryant*  
 Scale 1:2000 Date Sept 1986

Lots 1-5 Being a Subdivision of  
 Lot 1 DP: 64079 & Lots 5, 6 & 10 DP: 64318

LAND DISTRICT North Auckland  
 SURVEY BLK. & DIST. V. Whangaroa  
 NZMS 261 SHT RECORD MAP No. P. 474-2  
 Scale: 1:500





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



R. W. Muir  
Registrar-General  
of Land

**Identifier** 480925  
**Land Registration District** North Auckland  
**Date Issued** 01 April 2010

**Prior References**

NA56B/705 NA66B/542

---

**Estate** Fee Simple  
**Area** 4.1138 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 116617 and Lot 1  
Deposited Plan 421176

**Registered Owners**

Ronaki Limited

---

**Interests**

Subject to Section 308 (4) Local Government Act 1974 (affects Lot 1 DP 116617 herein)

Subject to a right of way over part marked A on DP 421176 specified in Easement Certificate B217080.1 - 20.9.1983 at 1.32 pm

Appurtenant as to Lot 1 DP 421176 herein are rights of way specified in Easement Certificate B217080.1 - 20.9.1983 at 1.32 pm

Subject to a right of way over part marked A on DP 116617 specified in Easement Certificate B660597.3 - 5.5.1987 at 2.37 pm

The easements specified in Easement Certificate B660597.3 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to Section 241(2) Resource Management Act 1991 (affects DP 421176)

Subject to a right of way and right to transmit telecommunications over parts marked A & G on DP 421176 created by Easement Instrument 8326177.9 - 1.4.2010 at 3:46 pm

Appurtenant hereto is a right of way and right to transmit telecommunications created by Easement Instrument 8326177.9 - 1.4.2010 at 3:46 pm

Some of the easements created by Easement Instrument 8326177.9 are subject to Section 243 (a) Resource Management Act 1991

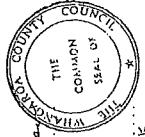


Approvals Approved  
 Remaki LTD  
 Registered Owners

Pursuant to a resolution of the Whangara County Council passed on the 14th day of November 1986 approving pursuant to Section 305 of the Resource Management Act 1976 this survey plan subject to the conditions of amalgamation set out hereon and conditional upon the granting or reserving of the easements shown in the Memorandum of Easement attached with the requirements and provisions of the operative district scheme for the area to which the survey plan relates the Common Seal of the Whangara County Council is hereby affixed hereto in the presence of:

*A.S. Burns*  
 Chairman

*[Signature]*  
 County Clerk

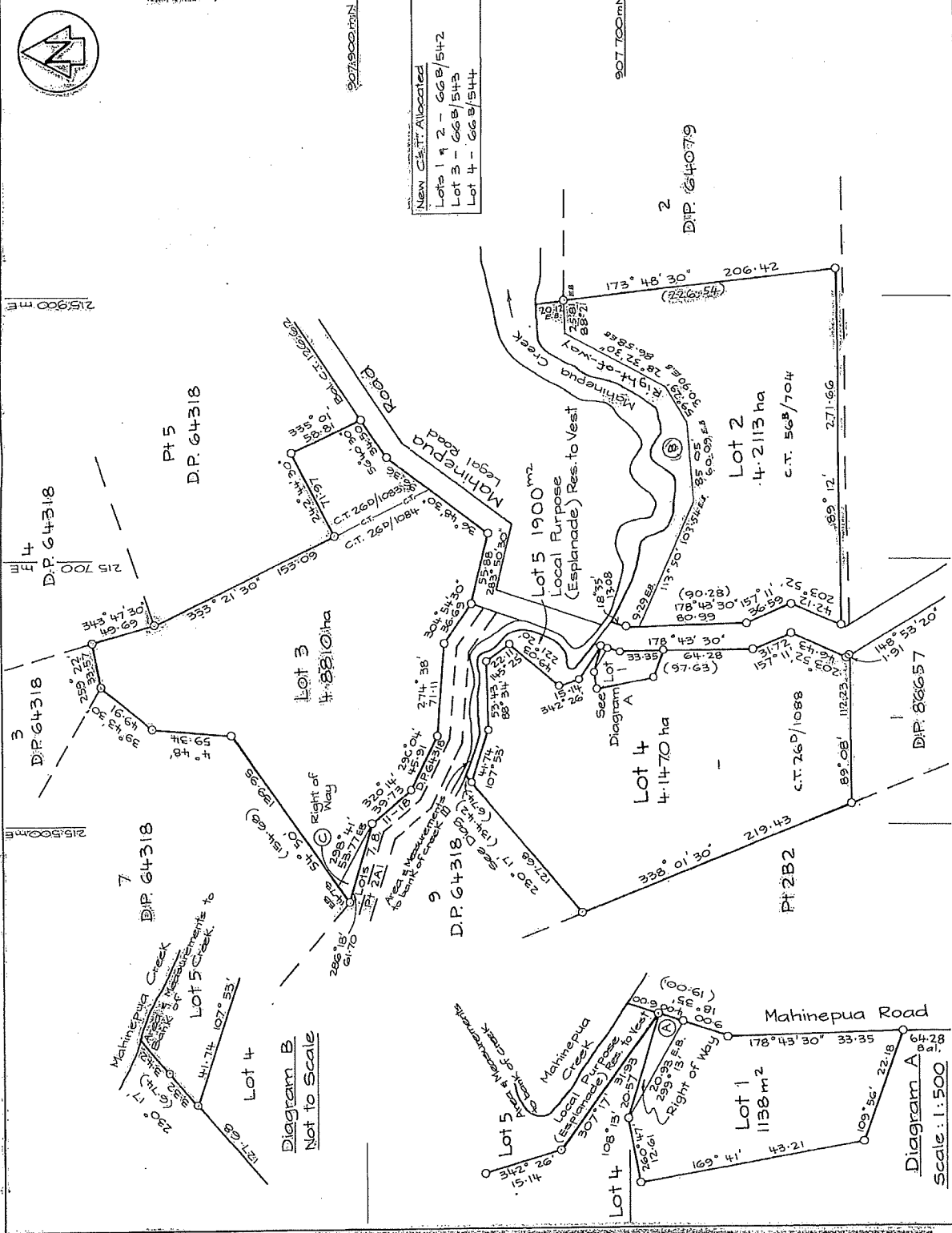


**Amalgamation Condition**  
 That Lot 1 hereon be held in the same ownership as Lot 2 hereon and that the area of Lot 2 hereon be added to include both parcels.  
 See: A 626787

**Memorandum of Easement**

Purpose	Shown	Surv. Ten.	Dom. Ten.
Right of Way	(A)	Pl Lot 1 hereon	Lot 4 hereon
Existing Easement	(B)	Created by 259/33	
Purpose Shows	(C)	B 418035-1	
Right of Way	(D)	Transfer 162845-1	
Total Area	13	253	h.a.
Comprised in	427	56	h.a.
	26	1088	(P)
	26	1088	(A)

1. Robert Selwyn Bryant  
 Registered Surveyor and holder of an annual practicing certificate in who may act as a registered surveyor pursuant to the provisions in section 302 of the Surveyors Act 1969 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plans and surveys are true and have been made in accordance with the Survey Regulations 1977.  
 Dated at Whangara this 30th day of September 86  
 Signature *[Signature]*  
 Field Book .....  
 Reference Plans .....  
 Examined *[Signature]* Correct *[Signature]*  
 Approved as to Survey  
 Deposited this 30th day of December 1987  
 Registrar  
 Received 14/1/88  
 D.P. 116617



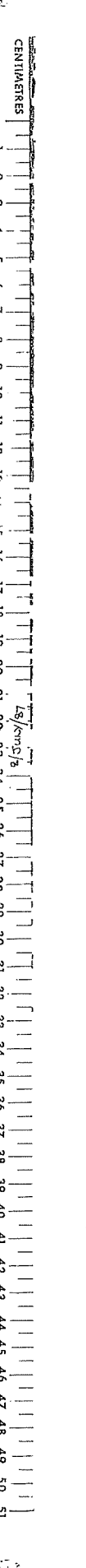
**New Cert. Allocated**  
 Lots 1 & 2 - 66B/542  
 Lot 3 - 66B/543  
 Lot 4 - 66B/544

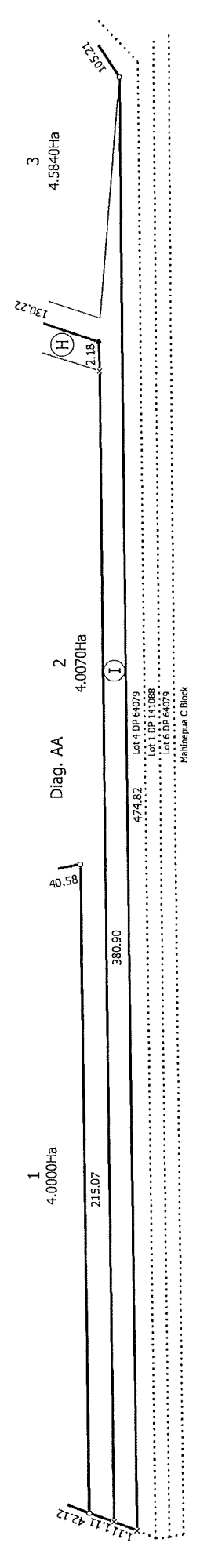
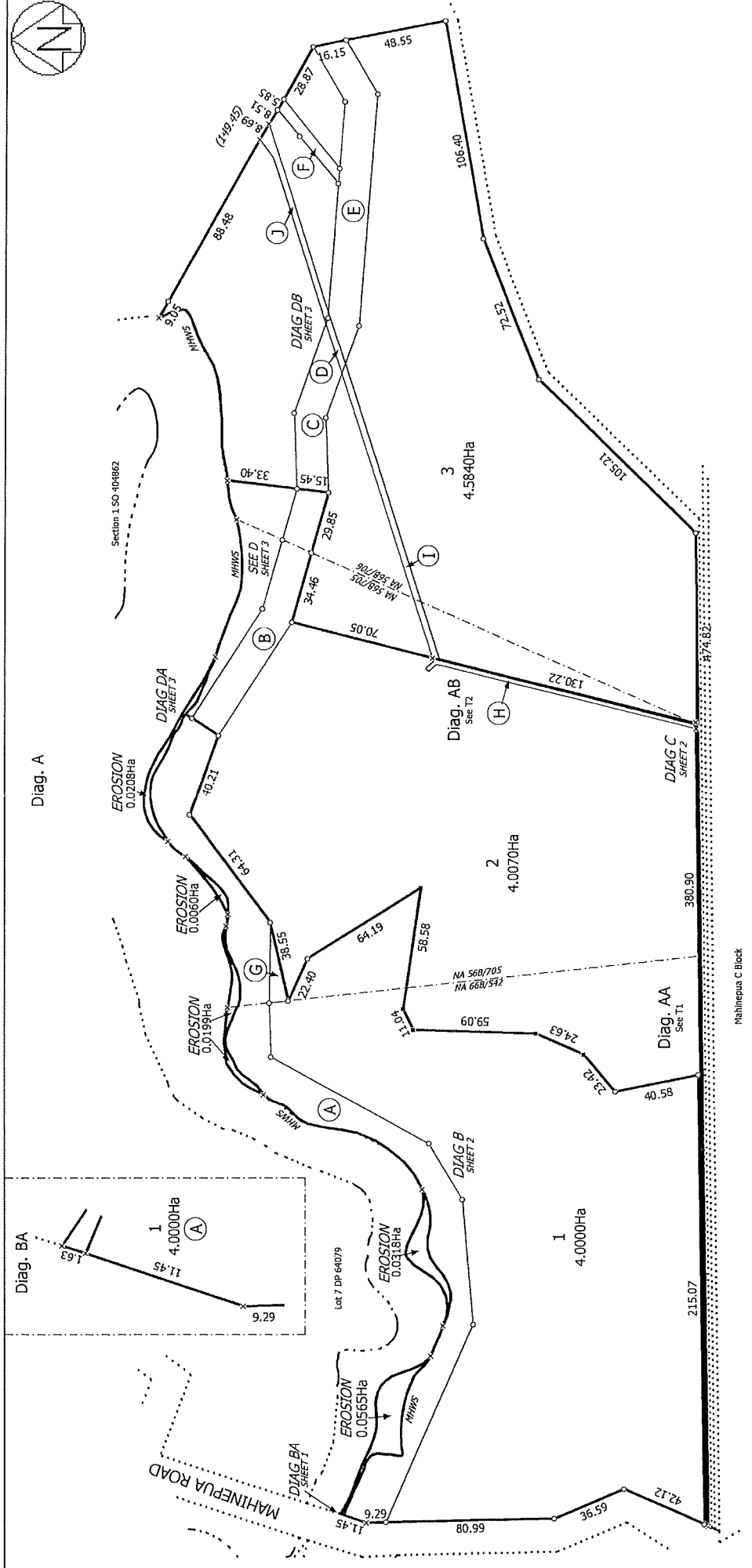
LAND DISTRICT North Auckland  
 SURVEY BLK. & DIST. V. Whangara  
 NZMS 261 SH1 RECORD MAP No P04/4-2

TERRITORIAL AUTHORITY Whangara County  
 Surveyed by Rayburn & Bryant  
 Scale 1:2000 Date Sept 1986

Lot 1 D.P. 64079 & Lots 5, 6 & 10 D.P. 64318

Scale: 1:500





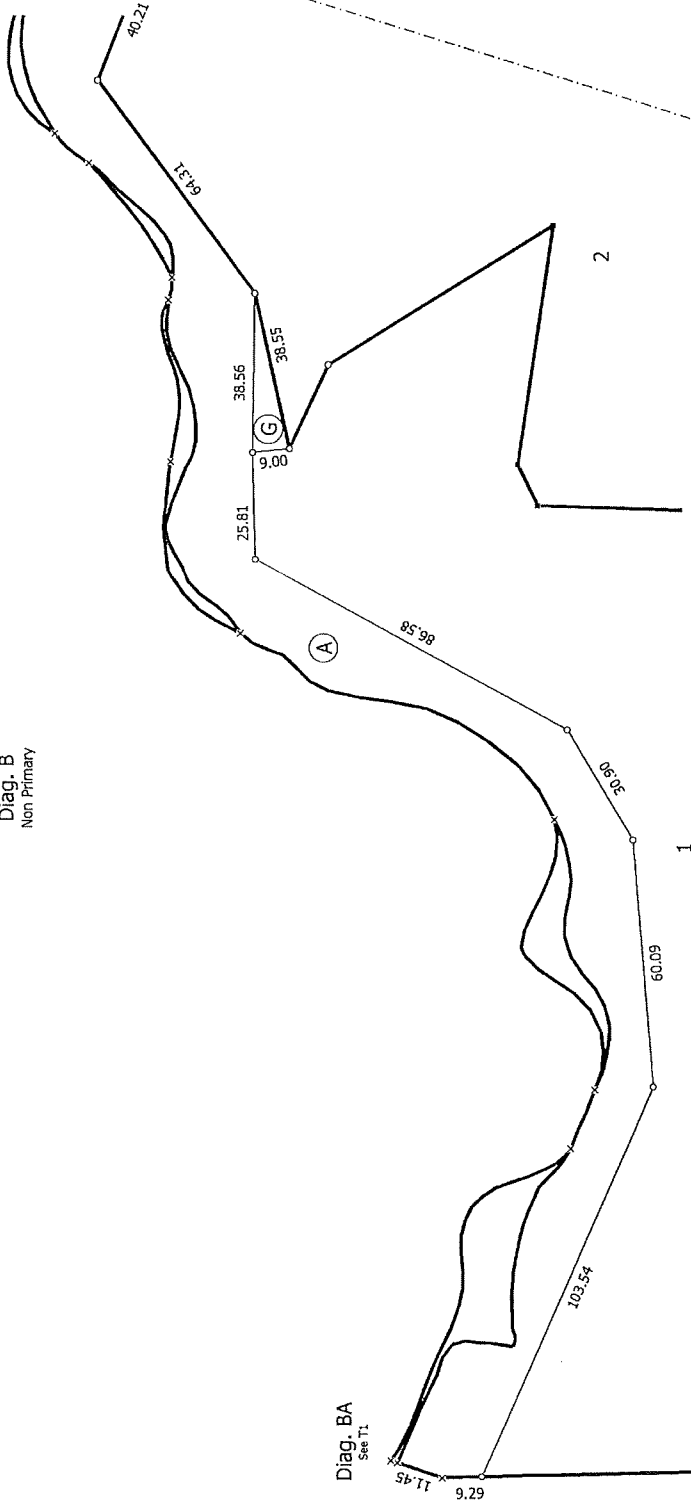
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LOTS 1 TO 3 BEING A SUBDIVISION OF LOT 2 DP 116617 AND LOTS 2 AND 3 DP 64079		Deposited on: 1/04/2010



Diag. AB  
Non Primary



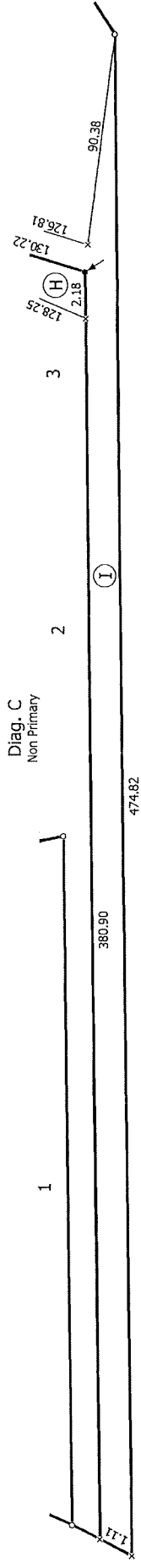
Diag. B  
Non Primary



Diag. BA  
See T1



Diag. C  
Non Primary



T 2/3

Surveyor's Ref: 7864

Land District: North Auckland  
Digitally Generated Plan  
Generated on: 03/05/2010 10:15am Page 5 of 6

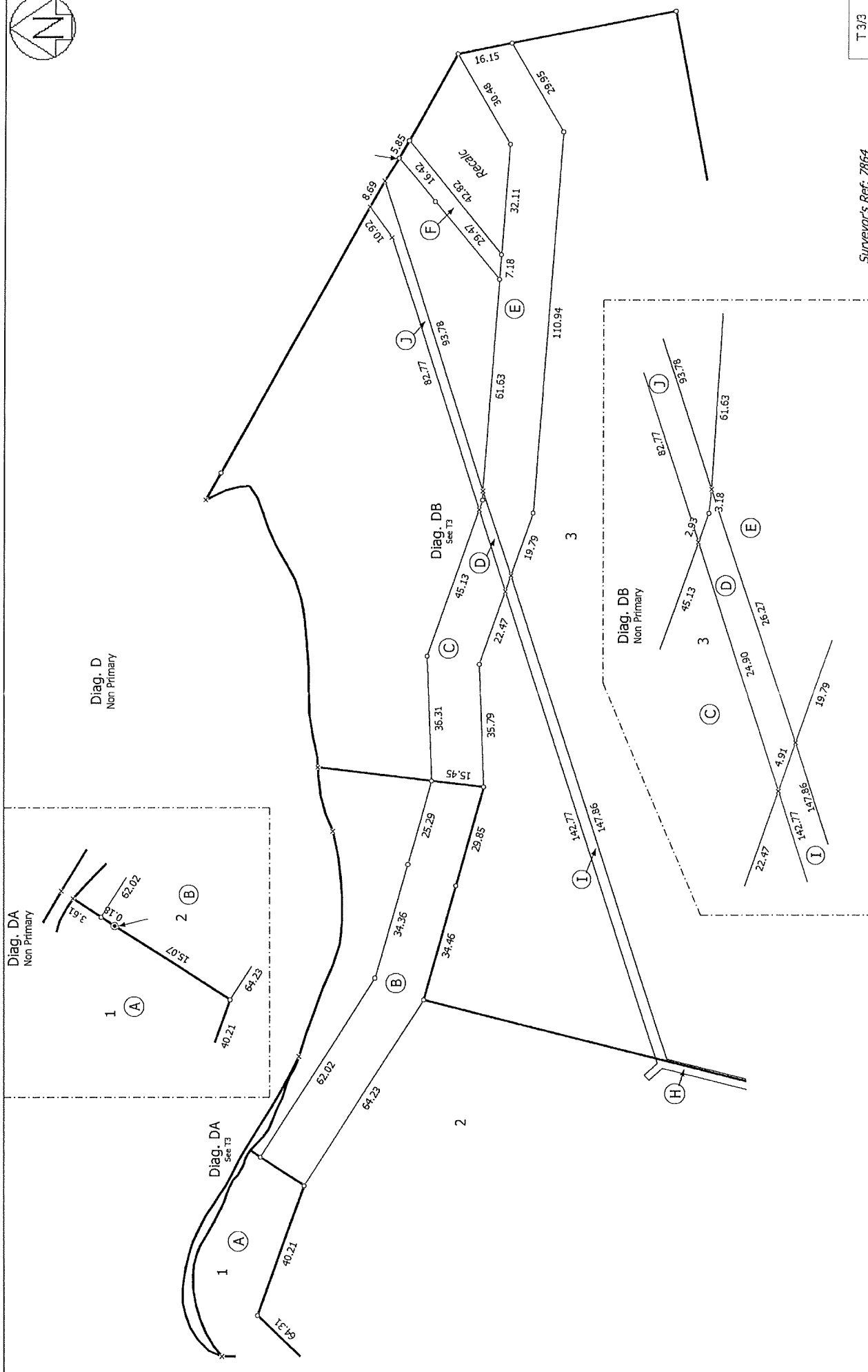
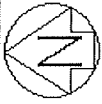
LOTS 1 TO 3 BEING A SUBDIVISION OF LOT 2 DP 116617 AND LOTS 2 AND 3  
DP 64079

Surveyor: Denis McGregor Thomson  
Firm: Thomson Survey Limited

Digital Title Plan  
DP 421176

Deposited on: 1/04/2010





T 3/3

Surveyor's Ref: 7864

Digital Title Plan  
DP 421176

Deposited on: 1/04/2010

Surveyor: Denis McGregor Thomson  
Firm: Thomson Survey Limited

LOTS 1 TO 3 BEING A SUBDIVISION OF LOT 2 DP 116617 AND LOTS 2 AND 3  
DP 64079

Land District: North Auckland

Digitally Generated Plan  
Generated on: 03/05/2010 10:15am Page 6 of 6

B217080.1 EC

Approved by the District Land Registrar, South Auckland No. 351560  
Approved by the District Land Registrar, North Auckland, No. 4380/81  
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

## EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

I/We RONAKI LIMITED at Auckland, JAMES PATRICK VINCENT of Mahinepua  
Farm Manager and JOHN HOUGHTON RHODES of Auckland, Company Director

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 12th day of 19 November 1971 under No. 64079 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

### SCHEDULE DEPOSITED PLAN NO.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Part Lot 1	Yellow	Lots 2, 3, 4, 5 & 6	35A/922
" " "	Part Lot 2	Blue	Lots 1,3,4,5 & 6	35A/922
" " "	Part Lot 3	Yellow	Lots 1,2,4,5 & 6	35A/922
" " "	Part Lot 4	Blue	Lots 1,2,3,5 & 6	44C/277
" " "	Part Lot 5	Yellow	Lot 6	35A/735
" " "	Part Lot 3	Blue	Lot 4	35A/922

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

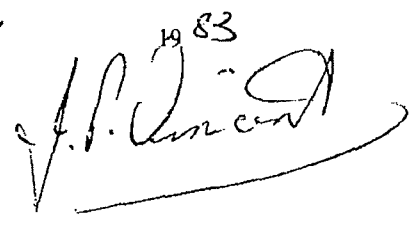
2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

The cost of forming and maintaining the rights of way hereby created shall be borne by the registered proprietors for the time being of each dominant tenement in equal shares.

Dated this 18<sup>th</sup> day of May 1983

Signed by the above-named

JAMES PATRICK VINCENT



in the presence of

Witness [Signature]

Occupation Solvent

Address [Signature]

SIGNED by JOHN HOUGHTON RHODES

in the presence of:

[Signature] Solvent [Signature]



THE COMMON SEAL of RONAKI LIMITED

was hereunto affixed in the

presence of:

[Signature] J.H. Rhodes Director



[Signature]  
Director



**EASEMENT CERTIFICATE**

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

*Correct for the purposes of the Land Transfer Act*

The Whangaroa County Council hereby consents to the easements of Right of Way created by this easement certificate.

*Solicitor for the registered proprietor*

Dated this 12th day of August 1983.

THE COMMON SEAL of the WHANGAROA COUNTY COUNCIL was hereunto affixed in the presence of :

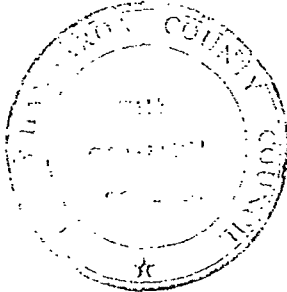
RONAKI LIMITED the mortgagee under Memorandum of Mortgage 472658.2 DOIH HEREBY CONSENT to the easements of right of way created by this easement certificate.

DATED this 12th day of August 1983

.....  
County Chairman

THE COMMON SEAL of RONAKI LIMITED was hereunto affixed in the presence of:

.....  
County Clerk



THE NEW ZEALAND INSURANCE COMPANY LIMITED the mortgagee under Memorandum of Mortgage 086425.4 DOIH HEREBY CONSENT to the easements of right of way created by this easement certificate.

DATED this 20th day of September 1983

THE COMMON SEAL of THE NEW ZEALAND GUARDIAN TRUST COMPANY LIMITED (in which Company the interest as Mortgagee is vested pursuant to the New Zealand Guardian Trust Company Act 1982) was hereunto affixed in the presence of:-

Authorised Signatory

Authorised Signatory

*[Handwritten signature]*

1.32 20. SEP 83 B 217080-1  
PARTICULARS REGISTERED  
LAND RE SURV AUCKLAND

440/277  
359/735  
350/922



Approved by the District Land Registrar, South Auckland No. 351560  
Approved by the District Land Registrar, North Auckland, No. 4380/81  
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

8660597.3 EC

## EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

1/XX RONAKI LIMITED at Auckland

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at **Auckland** on the day of **19 87** under No. **116617** are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

### SCHEDULE DEPOSITED PLAN NO. 116617

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Part Lot 1 Deposited Plan 116617	A	Lot 4 Deposited Plan 116617	66B/542 66B/544

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this *Third (3)* day of *April.* 1987

~~Signed by the common seal of~~

THE COMMON SEAL of  
RONAKI LIMITED was  
hereunto affixed  
in the presence of



Witness .....

Occupation .....

Address .....

*[Signature]* director  
*[Signature]* director



# EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

*Correct for the purposes of the  
Land Transfer Act*

*C. Wilson*

*Solicitor for the registered proprietor*

RONAKI LIMITED      Registered  
   Proprietor

*The within easement when  
created will be subject  
to Section 309(1)(a) Local  
Government Act 1974*

*Pls attach  
Arch*

12.37 05.MAY.87 B 660597.3  
PARTICULARS ENTERED  
LAND REGISTRY AL  
ASST LAND REGISTR  
668 / 542  
544



THOMSON WILSON FIDLER & HEENAN  
SOLICITORS  
WHANGAREI

T.W. & F.  
29718





# View Instrument Details

Instrument No. 8326177.9  
Status Registered  
Date & Time Lodged 01 Apr 2010 15:46  
Lodged By Yearbury, Donna  
Instrument Type Easement Instrument



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Affected Computer Registers	Land District
480925	North Auckland
480926	North Auckland
480927	North Auckland

---

**Annexure Schedule:** Contains 4 Pages.

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## 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 Graeme John Mathias as Grantor Representative on 28/04/2010 09:28 AM

---

## 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 Graeme John Mathias as Grantee Representative on 28/04/2010 09:28 AM

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

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

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

**Grantor**

**David John Houghton Rhodes, John Houghton Rhodes, Victoria Glendining Corbin and Charles Stuart Rhodes  
Rodger David Corbin, Victoria Glendining Corbin and TW Trustees 2009 Limited  
Mary-Anne Catherine Schaab**

**Grantee**

**David John Houghton Rhodes, John Houghton Rhodes, Victoria Glendining Corbin and Charles Stuart Rhodes  
Rodger David Corbin, Victoria Glendining Corbin and TW Trustees 2009 Limited  
Mary-Anne Catherine Schaab**

**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 of Way and Right to Transmit Telecommunications	Marked "A" on DP 421176	CFR 480925	CFR 480926 and CFR 480927
Right of Way and Right to Transmit Telecommunications	Marked "G" on DP 421176	CFR 480925	CFR 480926
Right of Way and Right to Transmit Telecommunications	Marked "B" on DP 421176	CFR 480926	CFR 480925 and CFR 480927
Right of Way	Marked "C" "D" and "E" on DP 421176	CFR 480927	CFR 480925 and CFR 480926

*Insert Instrument type*

Easement

*Continue in additional Annexure Schedule, if required*

**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]~~





**CERTIFICATE OF NON-REVOCATION  
OF POWER OF ATTORNEY**

I, **Mary Louise Bayly**, Quality Assurance Officer of Auckland, New Zealand, certify:

1. That by deed dated 12 July 2005, Bank of New Zealand, of Level 4, 80 Queen Street, Auckland, New Zealand, appointed me its attorney.
2. A copy of the deed is deposited in the North Auckland registration district of Land Information New Zealand as dealing No. 6508607.1
3. That I have not received notice of any event revoking the power of attorney.

SIGNED at Auckland 29 January 2010

A handwritten signature in black ink, appearing to read 'Mary Louise Bayly', written over a horizontal line.

Mary Louise Bayly

Approved by Registrar-General of Land under No. 2003/6150

**Annexure Schedule - Consent Form**

Land Transfer Act 1952 section 238(2)



Insert type of instrument  
"Caveat", "Mortgage" etc

Mortgage

Page **1** of **1** pages

**Consentor**

Surname must be underlined or in CAPITALS

**Capacity and Interest of Consentor**

(eg. Caveator under Caveat no./Mortgagee under Mortgage no.)

<b>BANK OF NEW ZEALAND</b>	Mortgagee under Mortgage No. D040490.1
----------------------------	--

**Consent**

Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.

Delete words in [ ] if inconsistent with the consent.

State full details of the matter for which consent is required.

Pursuant to [section 238(2) of the Land Transfer Act 1952]

[section of the Act ]

[Without prejudice to the rights and powers existing under the interest of the Consentor]

the Consentor hereby consents to:

**Easements over the land in CFR 480926 in terms of the attached instrument.**

Dated this **29** day of **January** 2010

**Attestation**

<p>SIGNED for and on behalf of BANK OF NEW ZEALAND By its Attorney: <b>Mary Louise Bayly</b></p>	<p>Signed in my presence by the Consentor</p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name <b>SHARON NEWTON</b></p> <p>Occupation <b>Bank Officer</b></p> <p>Address <b>Auckland</b></p>
	<p>Signature of Consentor</p>

An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.