

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

If yes, who have you spoken with?

2. Type of consent being applied for

(more than one circle can be ticked):

Land Use

Discharge

Fast Track Land Use*

Change of Consent Notice (s.221(3))

Subdivision

Extension of time (s.125)

Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil)

Other (please specify)

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

3. Would you like to opt out of the fast track process?

Yes No

4. Consultation

Have you consulted with iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant details

Name/s:

Max & Gary Beckham

Email:

Phone number:

Postal address:

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

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? **Yes** **No**

If yes, please provide details.

Wetland matters in 2013.

6. Address for correspondence

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

Name/s:

Cable Bay Consulting Ltd

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:

Max & Gary Beckham

**Property address/
location:**

31 Tokerau Beach RD3 Karikari Peninsula

Postcode 0483

8. Application site details

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

Name/s:

Max & Gary Beckham

Site address/
location:

190D Midgely Road Mangonui

Postcode 0494

Legal description:

Lot 4 Deposited Plan 205071

Val Number:

85/6805

Certificate of title:

NA133B/634

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

Please get in contact to arrange the site visit as there is a locked gate and also there are alternative access's available to the building platforms which will make things easier

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.

Two lot subdivision with irregular shaped building platform as per the attached AEE.

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

14. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. 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)

Max & Gary Beckham

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.

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) Max & Gary Beckham

Email:

Phone number:

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

Postcode

Fees Information

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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)

Max Beckham

Signature:

(signature of bill payer)

Date 08/08/25

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. 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.

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.



**APPLICATION FOR RESOURCE CONSENT TO THE FAR
NORTH DISTRICT COUNCIL PURSUANT TO SECTION 88 OF
THE RESOURCE MANAGEMENT ACT 1991**

**Discretionary Activity resource consent for a Two Lot
Subdivision with an irregular shaped building platform in
the Rural Production Zone**

190D Midgley Road, Mangonui

Assessment of Environmental Effects

February 2026



INTRODUCTION AND PROPOSAL

- 1.1 Gary Michael Beckham “(the Applicant)” seeks resource consent under the Resource Management Act 1991 and the Far North District Council District (“FNDC”) Operative District Plan (“ODP”) for a two lot subdivision in the Rural Production Zone.
- 1.2 This application is a re-submission of a subdivision consent first granted approval by the FNDC in 2008, under RC-2080526-RMASUB. In this respect, whilst this prior application received approval under s.223 of the RMA 1991 from the FNDC, the subdivision did not progress all the way to the Title issue stage.
- 1.3 In summary form, and as per the previously issued RC-2080526-RMASUB, this proposed subdivision will result in one allotment of 4.75 hectares (Lot 1) and one allotment of 4.62 hectares (Lot 2). However, this application contains more comprehensive analysis of the building platforms. This has resulted in a trapezoidal shaped building platform being identified on Lot 2. The application also proposes the cancellation of an existing consent notice on the site.

DOCUMENTATION

- 1.4 This application is accompanied by the following documents;
 - i. Register of Title (**Attachment 1**)
 - ii. Adjacent Land Analysis (**Attachment 2**)
 - iii. FNDC Files & Correspondence (**Attachment 3**)
 - iv. Scheme Plan (**Attachment 4**)
 - v. Engineering Report (**Attachment 5**)
 - vi. Section 86B of the RMA 1991 Check (**Attachment 6**)
 - vii. Operative District Plan Development Control Check (**Attachment 7**)
 - viii. Relevant ODP Assessment Criteria (**Attachment 8**)
 - ix. Fourth Schedule Compliance Assessment (**Attachment 9**)
 - x. NRPS : Relevant Objectives & Policies (**Attachment 10**)
 - xi. ODP : Relevant Objectives & Policies (**Attachment 11**)
 - xii. PDP : Relevant Objectives & Policies (**Attachment 12**)
 - xiii. Service Provider Correspondence (**Attachment 13**)
 - xiv. Application Form & Checklist (**Attachment 14**).



DESCRIPTION OF SITE AND SURROUNDS

- 1.5 The land is as legally described in Table 1, with a total land area of approximately 9.38 ha, and the Title has been in existence since 2001. The Register of Title and consent notices are appended in **Attachment 1** for ease of reference.

Existing Titles	Existing Area
Lot 4 Deposited Plan 205071 - Title created 6 August 2001, contains Consent Notice D628531.11	9.3807 hectares
Lot 57 Deposited Plan 205071 - One Fifth Share (Legal Access)	4,902m ²

Table 1 :

Register of Title Information

- 1.6 The topography of the site is steep to rolling and is bisected by a waterway of less than three metres average width, that runs south-east to north-west through the site, with an area of regenerating native bush adjacent the riparian margins. The balance of the site has an area of cleared land in the vicinity of the existing boat shed on the western margins. Access is via a 360 metre long metaled, shared, access lot from Midgley Road that presently serves four other properties. There are no other notable features present. This detail can be seen in the image in Figure 1 below.

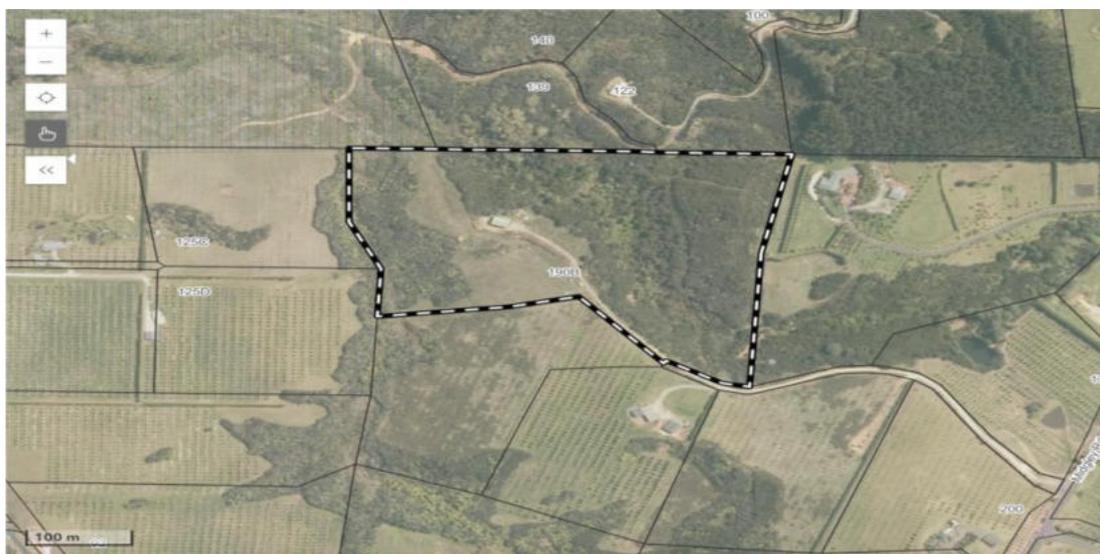


Figure 1 : Aerial Imagery

Source FNDC GIS as at 29/01/25.

- 1.7 In general terms, the site is approximately four kilometres south of Mangonui and located some 700 metres south-east of the Oruaiti Bridge, in an area of extensive olive plantations and lifestyle blocks. As a consequence, adjacent land uses are primarily horticultural and rural lifestyle in nature. Adjacent land analysis describing this adjacent land is contained in **Attachment 2**.
- 1.8 The subject site is zoned Rural Production under the ODP with no limitations listed in the Resource Maps, as illustrated in Figures 2 & 3 below.

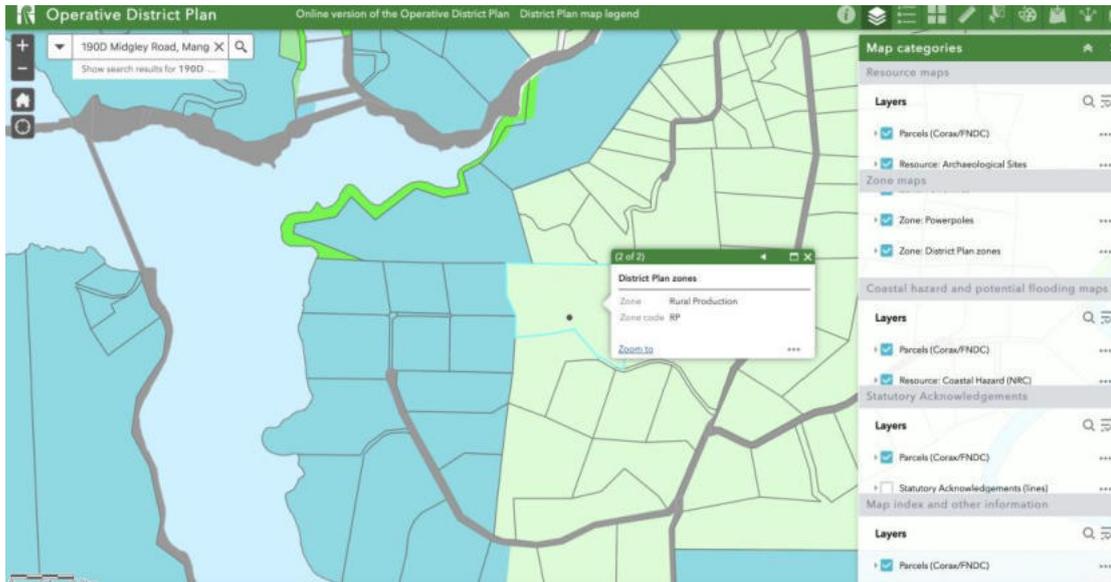


Figure 2 : FNDC ODP Zoning Map

Source FNDC GIS 21/11/24

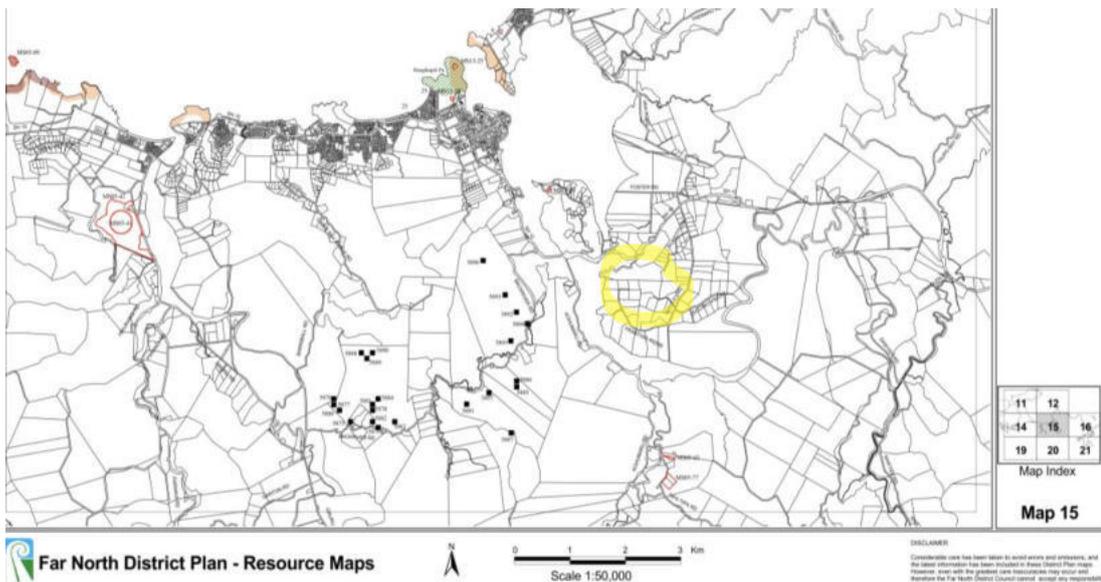


Figure 3 : FNDC Resource Maps

Source FNDC ODP Map 11

- 1.9 The site is however located within 500 metres of land administered by the Department of Conservation, via the esplanade reserves adjacent the Oruaiti River as shown in figure 4 below.

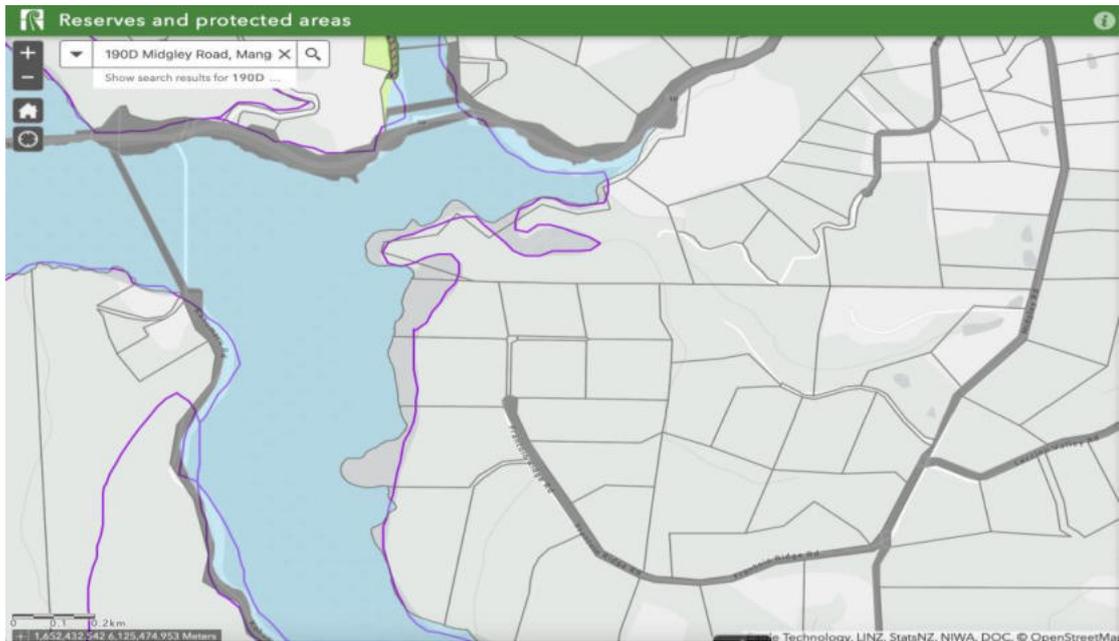


Figure 4 : Department of Conservation Land

Source FNDC GIS as at 29/01/25.

1.10 No HAIL sites are present as per screenshot below;

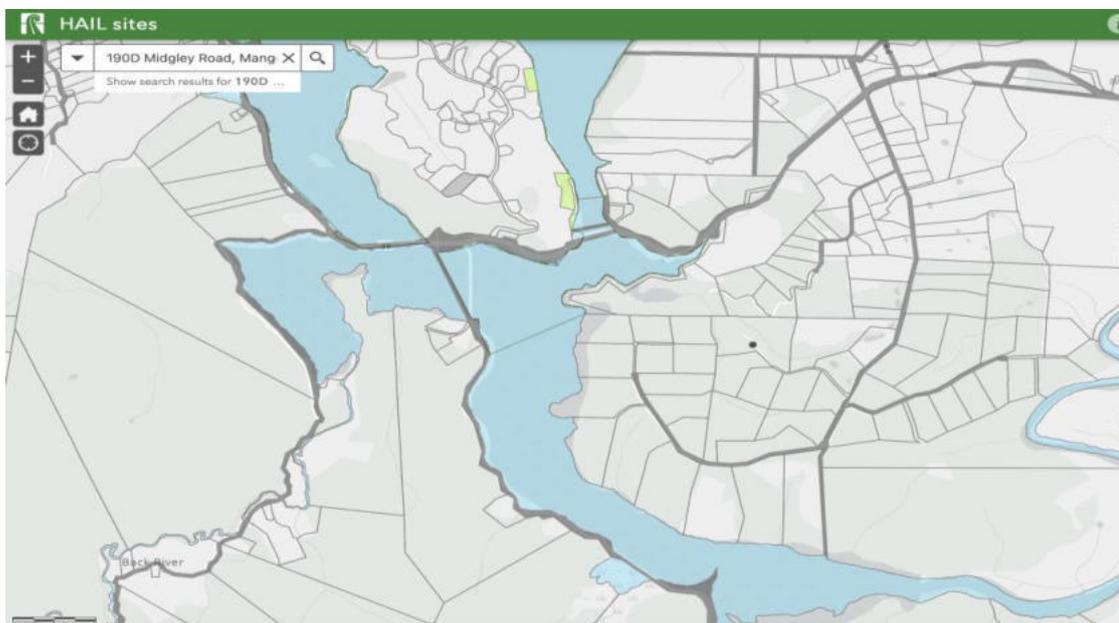


Figure 5 : HAIL Map

Source FNDC GIS 16/12/24

1.11 No recorded NZAA Archaeological sites are shown on the site in Councils GIS but there are archaeological sites shown on other sites in the vicinity along their coastal margins. The site does not contain any District Plan Historic Sites, District Plan Archaeological Sites, or District Plan sites of Significance to Māori.

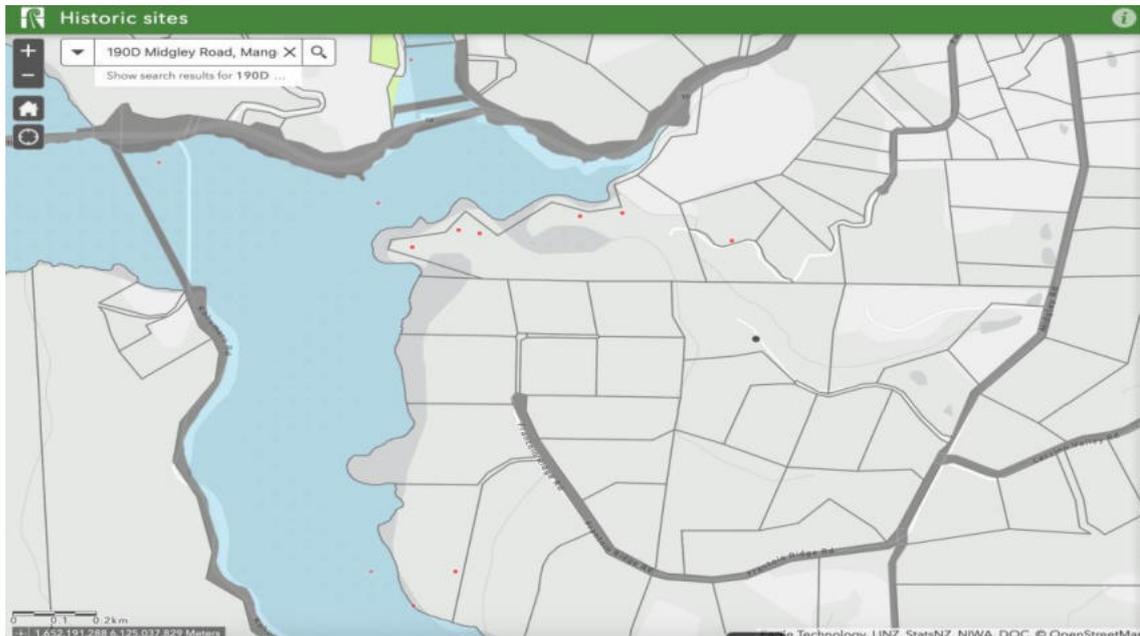


Figure 6: NZAA Archaeological Sites

Source FNDC GIS 16/12/24

1.12 The site is not located within a Kiwi Present area as per the screenshot below.

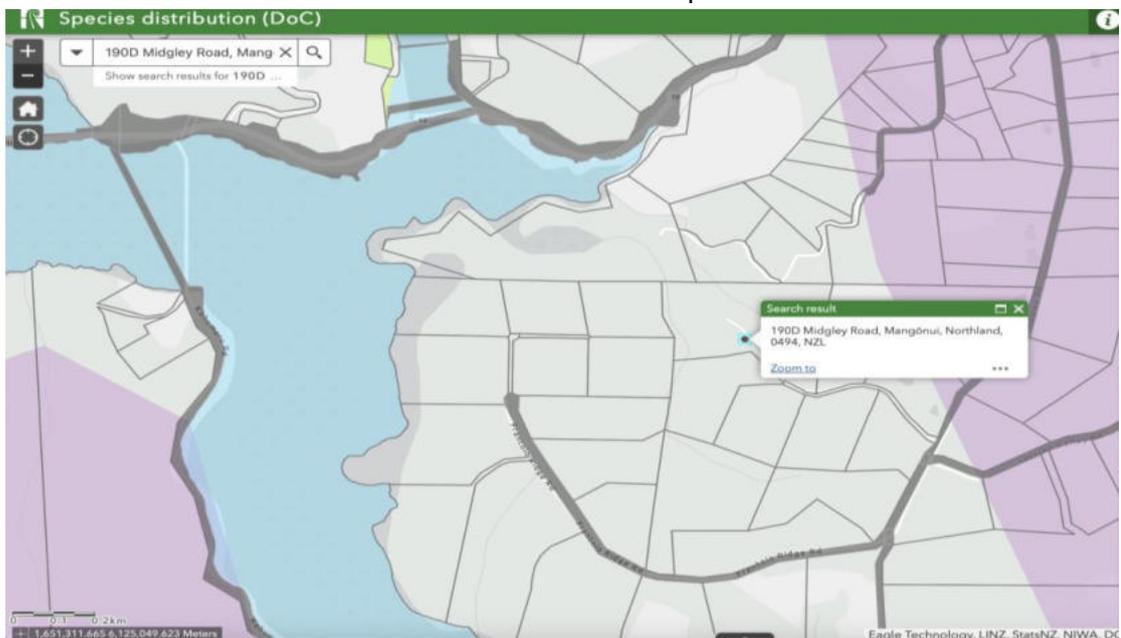


Figure 7: Kiwi Present Area – Not Present

Source FNDC GIS 16/12/24

1.13 The site is mapped under the LRIS Portal as containing Class 4 and Class 6 soils. The Class 4 soils being located on the lower lying and western margins of the site, with the Class 6 soils indicated on the steeper eastern portions. This is as shown in figure 8 below.

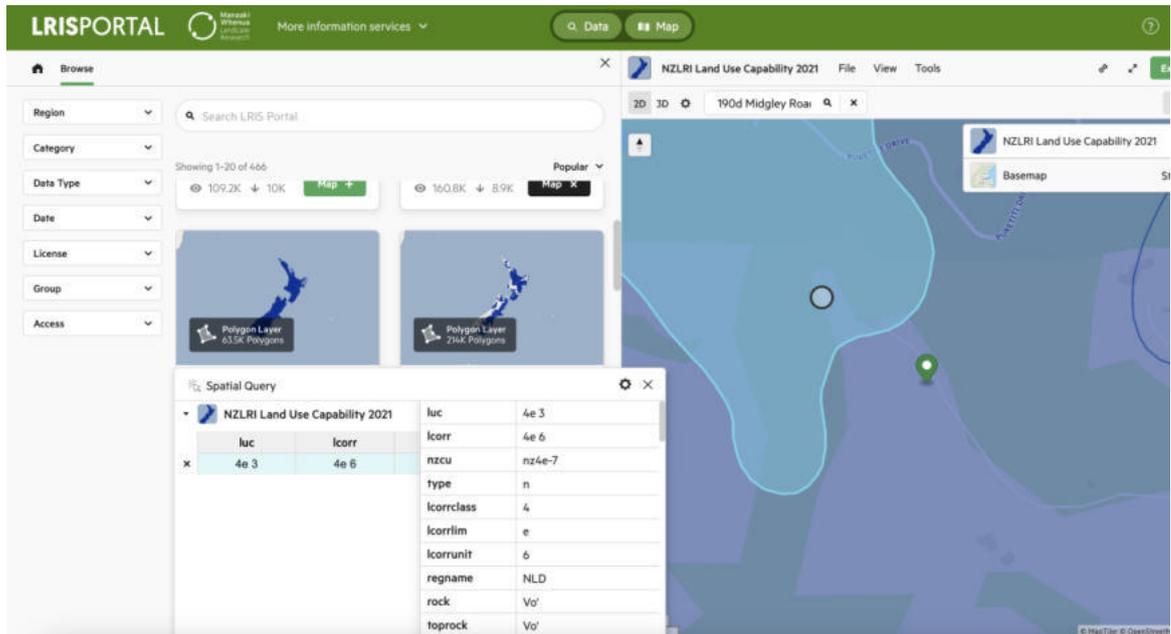


Figure 8: LUC Mapping

Source LRIS Portal 29/01/25

- 1.14 The site as a whole is also zoned “Rural Production” under the Proposed District Plan (“PDP”). The site is also notated as falling within the “Coastal Environment” and “Treaty Settlement Area of Interest” and also as being affected by flooding. The existing and proposed building platforms are both located clear of the flood plain. This can be seen in Figure 9 below.

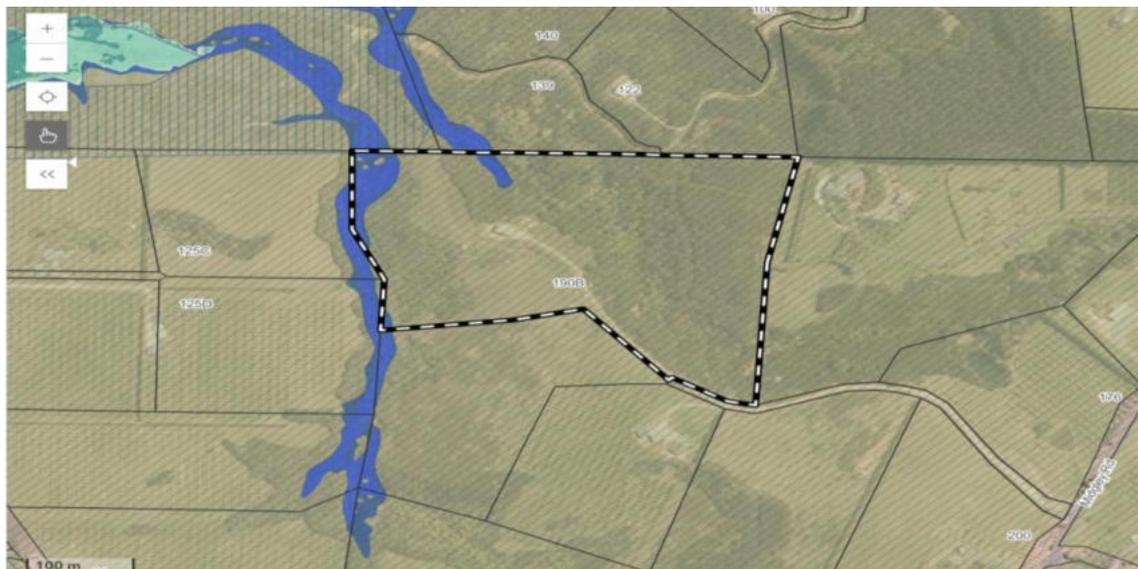


Figure 9 : FNDC PDP Zoning Maps

Source FNDC GIS 29/01/25

- 1.15 No heritage matters, notable trees, Sites and Areas of Significance to Māori, Outstanding Natural Landscapes, Outstanding Natural Features, or Statutory Acknowledgment Areas are notated on the PDP maps.



Site History

- 1.16 A review of the FNDC property files shows an extensive consenting history. This mainly involves prior subdivision consents, and one building consent.

The Initial Parent Subdivision - RC1980846 – 47 Lot Subdivision

- 1.17 The site was initially subdivided into 47 olive grove and forestry lots in July 1998 via a subdivision consent issued to Stargate Holdings Ltd (Council Reference RC1980846). A copy of the planners report and initial approved plan of subdivision and decision is contained in **Attachment 3**.
- 1.18 It is apparent that at the time the application was considered, whilst the then Proposed District Plan (now operative District Plan) had legal effect on the overall activity status under s.19 of the Act, that FNDC considered the Transitional District Plan to have the most weight, in part because of many submissions against pertinent parts of the Proposed District Plan. This means that subdivision consent was issued largely on the basis that the application constituted a “bona fide” subdivision under the auspices of the Transitional District Plan, rather than as a “Management Plan” subdivision as provided for in the (now) Operative District Plan today.
- 1.19 Since the time of subdivision consent issue however, four subsequent variations under s.127 of the Act have been granted by the FNDC from around April 2000 through to May 2001. These variation applications were all submitted by Ocean View Olives Ltd, who succeeded Stargate Holdings Ltd as the Applicant. The Council files for this time period run to thousands of pages, with much duplicated material, and unfortunately a lot of the content is also out of order. As best as can be made out, the variations sought changes to the roading layout, the extent of internal road sealing, lot boundaries, as well as allowing bonding of road upgrading and the planting of the olive plantations. Relevant extracts are contained in Attachment 3.
- 1.20 The matter of olive planting is relevant, as it is apparent that the subject site has never had an olive grove established, despite a consent notice on the Title requiring this to be undertaken. Discussion with the Applicant indicate the topography of the subject site, together with the regenerating native trees already present on the site means that the site was never intended or suitable to be planted in olives. The Applicant is unsure as to why this consent notice was ever imposed on the subject title.
- 1.21 Almost all other allotments in contrast all appear to have had olive or forestry plantations established, but have quite different topographical and vegetation characteristics to this allotment. The FNDC files indicate that there were some delay with the planting of olives across the subdivision generally due to crop shortages, which as already stated, was a catalyst for one of the earlier variation applications that sought that this be covered via the bonding process. These variations were granted.



- 1.22 Moreover, the FNDC files indicate that the planting bond for the subdivision was released in May 2003 after site inspections had been undertaken of the plantations. This is important as the aerial imagery in Figure 10 from December 2003 shows that whilst neighbouring sites had been planted, the subject site was not. This supports the Applicants contention that the site was never intended to be planted in olives.

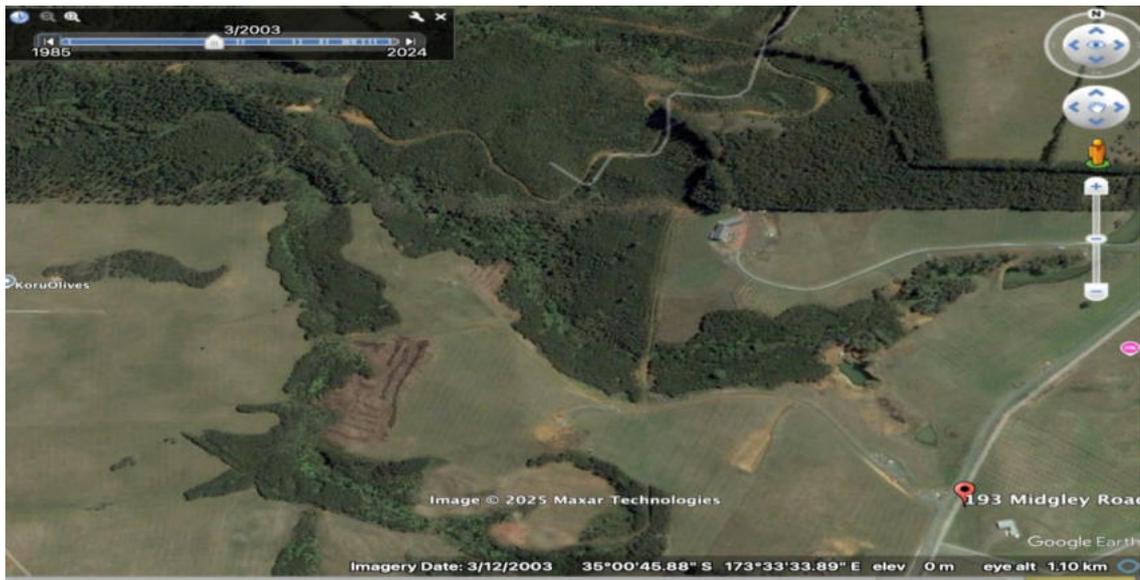


Figure 10 showing locations of olive planting in 2003 Source Google 2003 imagery

The Lapsed Two Lot Subdivision Consent of the Subject Site - RC-2080526-RMASUB.

- 1.23 As already stated, this prior two lot subdivision application was approved by the FNDC in 2008 (Council Ref RC-2080526-RMASUB) as a discretionary activity. A copy of the application and approved decision are contained in Attachment 3.
- 1.24 The submitted AEE included a copy of the consent notice, and made it clear that no olives had been established on the subject site, despite the wording of the consent notice. Council does not appear to have taken issue with this, as the then planners report appears silent on the issue of this consent notice, and the decision has been issued without imposing any conditions / restating a requirement for the establishment of an olive plantation.
- 1.25 Discussions with the Applicant indicate that some of the construction works for the s.224(c) conditions were undertaken for the development, including the necessary improvement works for the access lot.
- 1.26 Specifically, this included upgrading the the access on Lot 57 to provide a 5 metre wide metalled carriageway on a 7.5m wide formation where five or more lots were served, with the balance of Lot 57 being upgraded to a three metre wide metalled carriageway with passing bays, so as to comply with Rule 15.1.6.1.2 of the District Plan and the



consent conditions.

- 1.27 However since that time, the improvement works have deteriorated. The Applicant is agreeable to a consent condition requiring these works to be re-done as necessary.

The Boat Shed Building Consent

- 1.28 The existing boatshed was consented under the Building Act as an accessory building, and there is reference in Council files to the building being informally used as a dwelling at the time the previous 2008 subdivision consent was assessed.
- 1.29 The present subdivision application does not seek to authorise residential occupation of the boat shed building. Discussions with the Applicant confirm that the building is not being used as a dwelling as it has no cooking facilities. In the circumstance that the owner wished to pursue any residential use of this building in the future, that would need to be addressed separately through a Certificate of Acceptance (“COA”), and any required resource consent if applicable.

Subdivision Concept Design

- 2.1 The proposed subdivision layout is shown below, with a further full detailed plan set in **Attachment 4** for ease of reference. It should be noted that this scheme plan is based on the previously approved Land Transfer Plan.

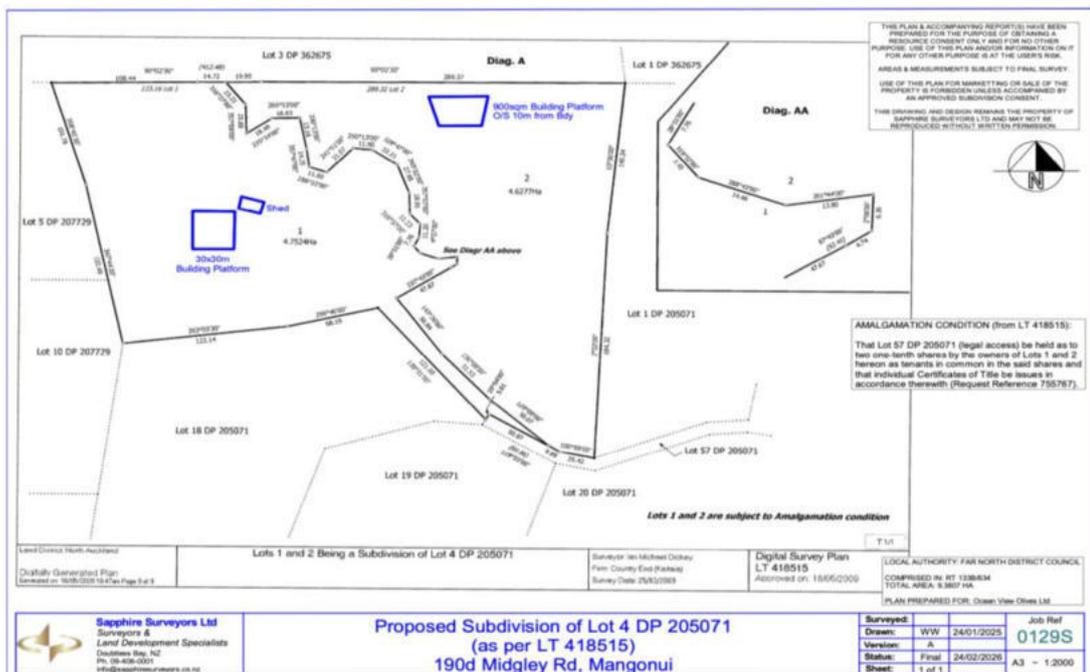


Figure 11 : Overall Scheme Plan

Source Sapphire Surveyors

- 2.2 The building platforms are located in the vicinity of the existing boat shed (Lot 1) clear



of the flood plain and on the more gentle contours on the western margins of the site, and the building platform for Lot 2 is located in an elevated position on relatively flat ground on the northern margins.

Planning Design Considerations

- 2.3 The building platform on Lot 1 is located to the south of the existing boat shed, well clear of boundaries and meets the minimum dimension and size requirements specified in the ODP. The building platform for Lot 2 has been designed to ensure that it is practical for a future dwelling to be constructed, whilst meeting the applicable setbacks from side boundaries and engineering limitations as outlined in the engineering report. The shape factor follows the land contour in this location. Whilst there is a marginal infringement of the required dimension of the shape factor which results in trapezoidal configuration, there is nonetheless provision for a shape factor accommodating 900m² of available area for future development. This is consistent with the minimum area anticipated as a consequence of a complying shape factor dimension (30 metres by 30 metres). This location has been chosen, in part, because it will facilitate the construction of a dwelling largely screened from surrounding viewpoints.

Engineering Design Considerations

- 2.4 The building platforms have been subject to an engineering assessment. A copy of the engineering report is contained in **Attachment 5**. This report indicates that the building platforms are capable of being located on suitable ground. The Lot 2 building platform shown is indicative for subdivision feasibility purposes and any dwelling location will be confirmed via the building consent process and coordination of engineering inputs and topographic survey data, together with any required setbacks.
- 2.5 The access is sited appropriately to minimise land form modification given the location of the building platform. The access to the building platform on Lot 2 will require the crossing of a stream. The engineering assessment confirms the crossing is hydraulically feasible and capable of complying with relevant standards.
- 2.6 It is noted that the earlier 2008 subdivision consent for the site was granted subject to an advice note requiring the Lot 2 owner to obtain any necessary regional approvals prior to forming the access crossing. Based on the available site information including the observations of the Applicant, the waterway is intermittent in character.
- 2.7 The conceptual crossing layout included in the engineering report indicates a culvert solution that is capable of being designed to comply with the permitted activity standards under the NES-Freshwater (including fish passage requirements for culverts) and relevant regional plan provisions.
- 2.8 In addition, the hydrological modelling demonstrates that during extreme rainfall events, excess flows are safely conveyed via the designed spillway without causing material



upstream afflux or downstream erosion effects. On the basis of the modelling, no material off-site effects are anticipated.

- 2.9 It is also noted that the number of allotments served by the main access after this subdivision (six) will remain well below the District Plan threshold requiring formation to road standard, and the engineers have confirmed that the access is suitable in principle.

Recommended Conditions

- 3.1 As this proposal reflects a previously approved development on the site, it is anticipated that any consent conditions will largely reflect that in the previously approved subdivision. There is an amalgamation condition referenced on the scheme plan, and re-confirmation from LINZ for this prior amalgamation reference number 755767 is sought. In addition, a consent notice on reverse sensitivity matters is also offered.

DISTRICT PLANNING FRAMEWORK

- 3.2 At the present time, the principal district planning instruments relevant to this subdivision are the ODP, PDP and Variation 1 to the PDP. There are no other plan changes relevant to this proposal.

Proposed District Plan

- 3.3 The Council publicly notified its PDP on 27th July 2022. Whilst hearings on the PDP have commenced, no decisions have yet been issued by the Hearings Commissioners. It is understood that decisions will be issued by Council in May 2026.
- 3.4 Under s86B of the Resource Management Act 1991 a rule in a Proposed District Plan has legal effect only once a decision on submissions have been made, unless the criteria under s.86B(3)(a) to (e) apply.
- 3.5 In terms of s.86B(3) of the Act, a review of the PDP shows that there are no provisions that relate to water, air or soil, significant indigenous vegetation, significant indigenous habitats of fauna, historic heritage or aquaculture activities that require resource consent in this intervening period.
- 3.6 Tabulated analysis of the PDP provisions are contained in **Attachment 6**. As there are no relevant rules within the PDP with immediate legal effect that affect the proposed subdivisions activity status, the activity status of this application is prescribed by the current ODP. The objectives and policies of the PDP are however relevant for the s.104 assessment undertaken later in this report.

Operative District Plan

- 3.7 As already stated, the ODP is the dominant planning document in considering this subdivision proposal. Tabulated analysis of the ODP provisions is contained in



Attachment 7. The analysis confirms that consent is required under the following rules of the ODP;

- Discretionary Activity subdivision consent for a two lot subdivision meeting the minimum lot size of four hectares pursuant to Rule 13.7.2.1 (i).
- Discretionary Activity consent under Rule 13.7.2.2 as Proposed Lot 2 will not be able to accommodate the dimensions of a square 30 metre by 30 metre shape factor pursuant to Rule 13.9 (a) and (b).

3.8 The application also seeks cancellation of Consent Notice D628531.11 pursuant to s221(3) RMA, in conjunction with this subdivision consent.

3.9 Overall the proposal is to be considered as a discretionary activity.

STATUTORY REQUIREMENTS

Section 104 & 106 – Consideration of Subdivision Consent Applications

3.10 Section 104 of the Resource Management Act 1991 sets out those matters that must be considered when assessing an application for resource consent. Subject to Part II of the Act, Section 104B requires a consent authority to have regard to the following matters:

“s. 104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

(a) may grant or refuse the application; and

(b) if it grants the application, may impose conditions under section 108.”

3.11 As a discretionary activity subdivision, and in addition to s.106 matters, Council has the ability to approve or decline the application. The ODP provides a range of assessment criteria for discretionary subdivision in Rule 13.10 of the ODP that may be considered by the FNDC in making that determination. These are set out in **Attachment 8**.

3.12 With respect to these subdivision assessment criteria, the proposal results in lots that are of sufficient size to accommodate dwellings clear of natural hazards, and adequate water supply, stormwater and wastewater disposal is able to be provided as set out in the attached engineering report. Moreover service providers have been consulted, whom have confirmed that adequate power and telecommunications can be provided. There are no listed heritage matters or sensitive ecological areas present on the site that will be affected by the proposal. The form of development is envisaged by the plan provisions in the zone and lot sizes are consistent with others present in the local area. The proposal is in accordance with these assessment criteria.



- 3.13 The supporting engineering report elaborates on the matters relevant to these assessment criteria as well as s.106 of the Act, and recommends conditions for adoption by Council at the time of building consent to mitigate effects.
- 3.14 The Fourth Schedule of the Act outlines the matters that must be included in an assessment of effects. A compliance schedule demonstrating how this AEE meets the requirements of the Fourth Schedule contained in **Attachment 9**.
- 3.15 The subsequent sections of this AEE address the requirements of s.5, s.104 and the Fourth Schedule of the Act as appropriate to the scale of the activity, and as necessary to provide an informed assessment of this proposal.

ASSESSMENT OF EFFECTS

- 4.1 The Council must decide whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

Permitted Baseline

- 4.2 The permitted baseline may be taken into account and the Council has the discretion to disregard those effects. The permitted baseline is of limited assistance because subdivision itself is discretionary.

Receiving Environment

- 4.3 The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed. Based on the information available to the Applicant there are no known consents in the area or that have been recently applied for on adjacent sites that may impact this proposal. However if the FNDC is aware of any relevant applications, this AEE can be updated as required to reflect any change in circumstances.

Section 106 Matters

- 4.4 The engineering report in Attachment 5 contains an assessment on engineering matters, including stability. The engineering report confirms stable building platform locations, feasible access grades, and appropriate stormwater/wastewater servicing solutions, such that there is no evidential basis to conclude that the matters in s106(1)(a)–(c) are likely to arise.

Subdivision and Consequential Land Use Effects

- 4.5 The effects arising from the proposal have been assessed using the objectives and policies and the relevant assessment criteria within the ODP as a guide, as well as the supporting engineering report which confirms that no adverse effects in terms of stability



or servicing will result. Given the compliant platform locations, existing vegetation screening, and the established pattern of similar rural residential development in the locality, the potential for adverse effects on neighbouring properties is assessed as less than minor.

- 4.6 This can be seen by review of the local cadastral information as per Figure 12 below.

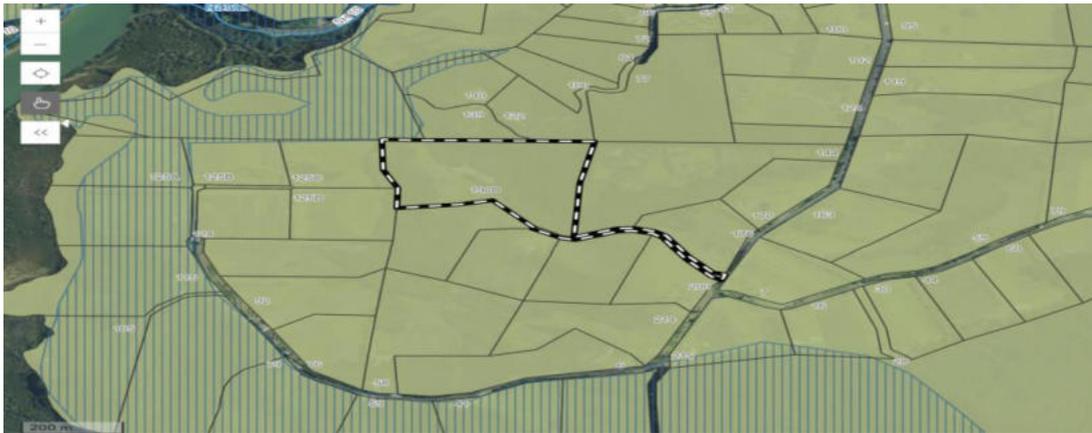


Figure 12 : Cadastral Pattern of Adjacent Land

Source FNDC GIS 20/02/26

- 4.7 The proposed subdivision will result in the cadastral pattern consistent with almost all adjoining sites. The majority of these adjoining sites are in the range of 2.1 to 4.9 hectares in size.

Rural Character and Amenity

- 4.8 The proposed subdivision and resultant allotment configuration will maintain the established character of the locality. The surrounding environment is characterised by olive and forestry plantations, pastoral land uses, rural residential lots and associated dwellings and infrastructure. The creation of additional allotments in excess of four hectares in size, with an identified building platform is consistent with this pattern of development.

- 4.9 The indicative building platform on Lot 2 is located within the broader pastoral landform and is set back from boundaries and natural features such that any future dwelling can be integrated into the landscape in a manner typical of the rural environment. No urbanising elements or unduly intensified land use patterns are introduced by the subdivision itself.

- 4.10 Overall, the proposal will not give rise to adverse effects on rural character or amenity that are more than minor.

Ecology and Stream Margins

- 4.11 A watercourse is present on Lot 2 and is identified as a stream on NZMS 260 series maps as well as the Regional Policy Statement Maps. Any stream crossing or associated works will be required to comply with the Resource Management (National



Environmental Standards for Freshwater) Regulations 2020 and relevant regional plan provisions, including fish passage requirements where applicable. Please refer to the conceptual design in the engineering report.

- 4.12 The proposal demonstrates that a building platform and access can be achieved in principle without resulting in adverse effects on the stream environment. Accordingly, adverse ecological effects arising from the subdivision are considered to be no more than minor.

Access and Traffic

- 4.13 The subdivision retains the established access arrangements serving the site and does not generate a level of traffic that would be inconsistent with the function and capacity of the local rural road network. Any future dwelling on Lot 2 would generate typical low-intensity rural residential traffic movements.
- 4.14 Engineering advice confirms that safe access can be achieved in principle. Detailed design and any necessary upgrades to the access can be addressed via consent conditions.
- 4.15 On this basis, the traffic and access effects associated with the subdivision are considered to be less than minor.

PROVISIONS OF ANY RELEVANT PLAN, POLICY STATEMENT, OR OTHER REGULATION

- 5.0 Ten new or amended national direction instruments under the Resource Management Act 1991 came into effect on 15 January 2026. The following analysis has been informed by these most recent amendments for completeness.

National Policy Statement for Natural Hazards (2025)

- 5.1 This legislation is about managing natural hazard risk to people and property associated with subdivision use and development using a risk-based proportionate approach. New risk matrices have been devised addressing the likelihood and consequence of natural hazard events. As already discussed, the proposed site is located clear of the modelled flood plain and the supplied engineering report addresses natural hazards present on the site. As a consequence there is no conflict with Policy 1 or Policy 5 of the NPS Natural Hazards.

National Policy Statement for Infrastructure (2025)

- 5.2 The objective of this National Policy Statement is to ensure the national, regional and local benefits of infrastructure are provided. This is to occur by enabling infrastructure to support the social, economic and cultural wellbeing of people and communities and their health and safety. In this respect there is no regionally significant infrastructure in the locality and standard conditions requiring access formation etc will deal with transport effects. As a consequence there is no conflict with Policy 1, 8 or 10 of the NPS Infrastructure.



National Environmental Standards for Assessing and Managing Contaminated Soils to Protect Human Health (2011) (NES :CS)

- 5.3 With respect to the NES:CS specifically, there is no indication on the aerial imagery that intensive horticultural production or similar has been previously made on the site. In addition, the HAIL GIS Maps on Council's website have been reviewed as well as FNDC files and neither indicate the presence of any HAIL sites on the property.

National Environmental Standards for Freshwater Regulations 2020 (as amended 2025) ("NES-FW")

- 5.4 The proposed subdivision is consistent with the NES-FW. The watercourse present on Lot 2 is identified as a stream on the NZMS 260 series maps and the Regional Policy Statement Maps (see Figure 13) and is understood to be intermittently flowing.
- 5.5 Under the NES-FW, the placement, alteration, extension, or reconstruction of culverts within the bed of a river is addressed by Regulations 42–44, which provide for such works as permitted activities subject to compliance with specified fish passage and design standards. Any stream crossing associated with development of Lot 2 will be required to comply with these provisions, or alternatively obtain any necessary resource consents from the relevant authority.
- 5.6 The engineering assessment demonstrates that a suitable building platform and access can be achieved in principle without necessitating works that would conflict with the NES-FW. The proposal therefore maintains consistency with the objectives of the NES-FW, including the requirement to sustain the health and well-being of freshwater bodies and to avoid the creation of new barriers to fish passage.

National Policy Statement for Freshwater Management(2025) ("NPS:FW)

- 5.7 The NPS : FW sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits. It is considered that the proposal is not inconsistent with the objectives of the NPS FW in that the extent of any requisite earthworks for the subdivision are modest and conditions can be imposed to ensure that adverse effects in terms of sedimentation and water quality are appropriately avoided, remedied or mitigated. The stream crossing has been conceptually designed to be capable of meeting permitted activity standards.

NPS Indigenous Biodiversity (2025)

- 5.8 The National Policy Statement for Indigenous Biodiversity (NPSIB), requires council's to identify, map, and manage effects on SNAs, including avoiding or mitigating adverse impacts from activities like subdivision (e.g., through vegetation clearance, earthworks, or habitat fragmentation). Whilst the assessment criteria within the current ODP do provide for the protection of Significant Natural Areas in an application for subdivision there are no mapped SNA's on the site or that might otherwise be affected by the proposal. As a consequence, no conflict with this NPS is anticipated.



The NPS Highly Productive Land (2025)

- 5.9 This NPS has the objective of protecting Highly Productive Land so that it can be used for land-based primary production, both now and for future generations. The NPS:HPL was updated in late 2025 and is about ensuring the long term availability of productive soils for food production. The NPS: HPL is to be implemented via the identification and mapping of areas of productive soils in planning documents, and by the subsequent introduction of objectives, policies and rules within District Plans. There are only Class 4 & 6 soils present on the site, and as such no further assessment is required.

New Zealand Coastal Policy Statement

- 5.10 The site is barely visible from the coastal marine area thanks to topography and vegetation in the local area. Moreover, the proposal will comply with the ODP standards for impermeable surfaces, stormwater control and earthworks for the building platform and access will be undertaken in accordance with accepted engineering standards. As a consequence no adverse effects on the coasts natural character, intrinsic values or water quality that will arise.

The Northland Regional Policy Statement

- 5.11 The Northland Regional Policy Statement (“NRPS”) was made operative in May 2016. The site is located outside of any outstanding natural landscape, outstanding natural features, natural character areas. The intermittent stream (less than three metres in width) bisecting the site can be seen in Figure 13 below.

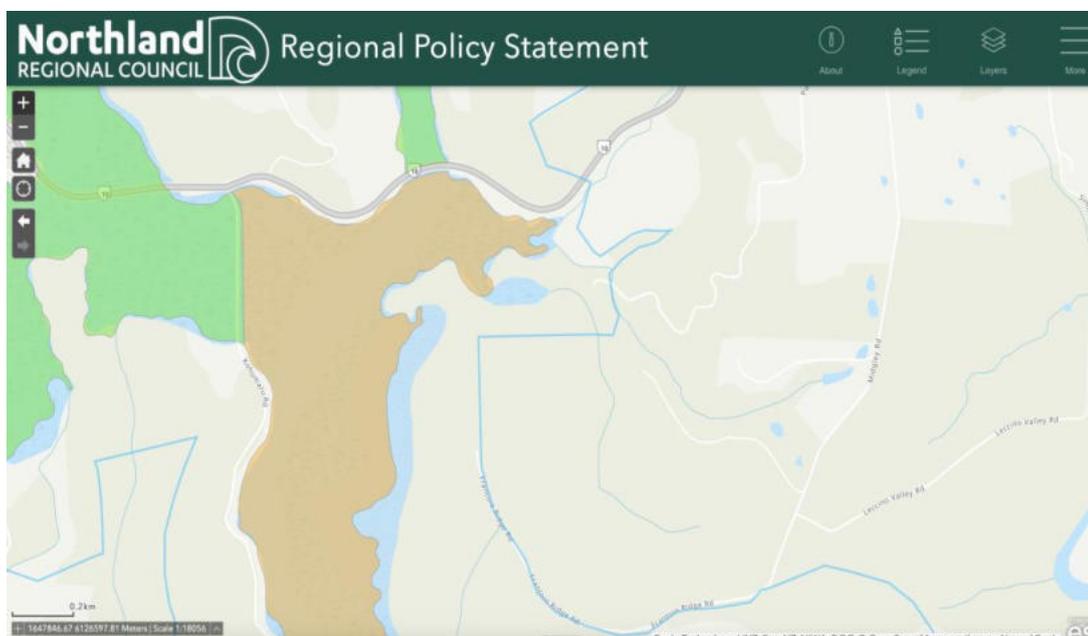


Figure 13: Regional Policy Statement Map

Source NRC GIS 31/01/25

- 5.12 The NRPS contains objectives and policies related to infrastructure and regional form and economic development. The objectives and policies considered relevant to this proposed subdivision are contained in **Attachment 10**.
- 5.13 As outlined earlier in this report, the building platforms have been sited clear of the



modelled flood plain. The hazard risk has been assessed consistent with NRPS policies regarding hazards.

- 5.14 The Applicant is offering a consent notice condition to address reverse sensitivity matters to ensure reverse sensitivity effects do not arise.
- 5.15 The Applicant also acknowledges that works in the bed of a stream are regulated by the Northland Regional Council. The engineering assessment confirms the crossing is capable of being designed and constructed to meet permitted standards.
- 5.16 The proposal is consistent with the relevant objectives and policies in the Regional Policy Statement for Northland.

FNDC ODP Objectives and Policies

- 5.17 As already stated, the proposal constitutes a discretionary activity under the FNDC DP. The pertinent objectives and policies are contained in **Attachment 11**.

Commentary – Subdivision Objectives and Policies

- 5.18 The proposed subdivision is of a nature envisaged by the zone provisions as a discretionary activity (13.3.1). The lot sizes, dimensions and location of the allotments have been designed so as to take into account ecological matters, as well as existing land uses (13.4.1). This has resulted in the building platforms being located in the less environmentally sensitive portions of the site, clear of flood hazard (13.4.3), and the building platform has been designed and located so as to be north facing and take into account solar gain to facilitate energy efficient design (13.3.9, 13.4.15 (a)). There are no scheduled heritage resources present on the site (13.3.4), and stormwater management will be in place for the proposed development (13.3.5). The proposal contains a set of suggested resource consent conditions to address reverse sensitivity and environmental effects arising from the proposal (13.3.2). Particular consideration has been given to ensuring adverse effects are appropriately avoided, remedied or mitigated. The proposal is in accordance with these objectives and policies.

Commentary – Rural Production Zone Objectives and Policies

- 5.19 The proposed subdivision is of a nature envisaged by the zone provisions as a discretionary activity (8.4.2). The subdivision has been designed so as to take into account ecological issues (8.3.4), and there are no outstanding natural features or landscapes present on the site (8.3.5). The proposal contains a set of suggested resource consent conditions to address reverse sensitivity and environmental effects arising from the proposal (8.4.5). The proposal is in accordance with these objectives and policies.



Summary

- 5.20 In summary, for the reasons detailed above, the proposal can be considered consistent with the relevant objectives and policies contained within the ODP.

PDP Objectives and Policies

- 5.21 The pertinent objectives and policies are contained in **Attachment 12**. As the objectives and policies of the Rural Production zone depart significantly from the approach set out in the ODP, these plan provisions reflect a different future policy direction that has not yet been resolved through the statutory process. These objectives appear to envisage only “primary production activities” and “other compatible activities that have a functional need to be in a rural environment” . Subdivision is also anticipated in exchange for environmental benefit but only if subdivision on productive soils is avoided (SUB-P8). However, limited weight can be afforded to those provisions at this time due to the number of submissions on these aspects of the PDP. However as covered in paragraphs 2.1 to 2.12 of this report, the subdivision nonetheless has been designed to protect the ongoing operation of neighbouring rural land uses. The site does not result in building platforms in any identified environmentally sensitive areas (SUB-P11), and appropriate infrastructure is also provided (RPROZ-03 (b) RPROZ-P3 & (d)).
- 5.22 With respect to natural hazards, the proposed lot, including access, is clear of the modelled flood plains in the local area as shown on Council’s current GIS system. The hazard risk has been assessed in the supplied engineering report and the proposal is consistent with policies regarding hazard (NH-01 & NH-02, NH-P2, NH-P5, NH-P6, NH-P8).

Variation 1 to the PDP

- 5.23 The Far North District Council has notified Proposed Plan Variation 1 (Minor Corrections and Other Matters) to the Proposed District Plan. Proposed Plan Variation 1 makes minor amendments to correct minor errors, amend provisions that are having unintended consequences, remove ambiguity and improve clarity and workability of provisions. There are multiple zones and provisions of the PDP that are affected by this variation. Examples of this include changes to the wording of both rural, urban and special purpose zones. Changes are sought to the Rural Production Zone specifically, but the variation does not seek changes to the subdivision provisions in this Zone. Submissions for this variation closed in December 2024 so the provisions have no effect on activity classification, and little if any weight in the decision making process for this application at the current time.



ANY OTHER RELEVANT AND REASONABLY NECESSARY MATTER

Weighting of District Planning Documents

- 6.0 In general terms the weight afforded to the objectives and policies of a PDP are determined by the extent to which the PDP provisions have been tested in the statutory process. Typically, a PDP notified by a consent authority will garner greater weighting in the process a few years after notification as decisions are issued and appeals are resolved in accordance with the time frames prescribed in the RMA 1991.
- 6.1 However this is not the case with FNDC PDP. Whilst the statutory process for the PDP effectively commenced on 27 July 2022 with the public notification of the PDP, according to the FNDC website, the PDP received “...a high number of submissions with 580 original submissions (with over 8,500 original submission points), and 549 further submissions (with 26,174 further submission points) covering a broad range of issues...”
- 6.2 As a consequence of that significant number of submissions, as well as staffing issues, Council wrote to the Minister for Environment on 15 July 2024 seeking an extension of time until 27 May 2026 for the issue of Council decisions on the PDP. This extension of time was granted by the Minister for the Environment on 17 September 2024.
- 6.3 All of this means that despite being in the public realm for a number of years, the PDP has not yet had any decisions issued on submissions by either the Hearings Panel or Council.
- 6.4 As a consequence, the PDP carries less weighting in the decision making process at the present time, than would otherwise be expected. This is setting aside the fact that the Council will still need to make a decision as to whether or not they will accept the recommendations of the Hearings Panel. The Council decisions will then be subject to potential challenge via appeal.
- 6.5 In order to understand the potential for the subdivision provisions of the Rural Production zone to be appealed, we have reviewed the submissions. We note that there are multiple submissions opposing / seeking changes to the provisions of the Rural Production zone and minimum lot sizes. Some relevant examples of these submissions are in S421.207, S373.001, S488.001, S17.001, S40.001, S41.001 and S43.001.
- 6.6 We also note that in parallel with this, the government has issued a range of updates to various National Policy Statements and National Environmental Standards, and the Hearings Panel is currently seeking legal advice on the implications of these amendments on their decision making process.
- 6.7 In our opinion all of this means that the Operative District Plan is the dominant document in the weighing up of the objectives and policies of the district planning documents.



Cancellation of Consent Notice - Section 221(3) of the Resource Management Act 1991

- 6.8 Consent Notice D628531.11 (dated 14 May 2001) requires ongoing adherence to an “Olive Grove Management Plan” across the subject land. The notice was imposed as part of an earlier subdivision that anticipated coordinated olive grove establishment and management across the parent holding. The current proposal seeks cancellation of that consent notice insofar as it applies to the subject site.
- 6.9 No olive groves have been established on the subject land since registration of the consent notice. While olive planting occurred on some neighbouring properties within the wider historical subdivision, the subject site has remained largely in pastoral use and natural regeneration to the extent that topography allows.
- 6.10 A review of the physical characteristics of the site demonstrates that the ongoing requirement for commercial olive production is no longer appropriate. Approximately 50% of the site comprises steep landforms areas now in regenerating indigenous vegetation and low quality soils. In a Far North context, Class 4 soils have only moderate versatility for horticulture and Class 6 land is generally unsuitable for sustained cultivation. Collectively, the land resource does not support the intensive and coordinated olive production regime contemplated by the 2001 management plan.
- 6.11 These areas are not practically suitable for mechanised horticultural production and their continued regeneration provides positive indigenous biodiversity outcomes consistent with the objectives of the ODP and PDP.
- 6.12 The consent notice requires adherence to a prescriptive grove management regime including fixed planting spacings, fertiliser and spraying programmes, pruning regimes and coordinated management structures. Given the absence of any established grove on the site, the physical constraints identified above, and the passage of more than two decades since the notice was imposed, the requirement is now both impractical and disproportionate to the actual productive capacity of the land.
- 6.13 The cancellation of the consent notice will not result in adverse environmental effects, and will better align land use expectations with the site’s physical capability. The underlying Rural Production Zone objectives relating to sustainable land use and maintenance of rural character will continue to be met.
- 6.14 Under section 221(3) of the Resource Management Act 1991, the territorial authority may certify the variation or cancellation of a consent notice. In this instance, the evidence demonstrates that: the original purpose of the notice has not been realised on the subject land, site conditions materially constrain the intended land use, and the ongoing requirement is no longer necessary to achieve appropriate resource management outcomes.



- 6.15 Moreover, and as already stated, the site was previously the subject of a two-lot subdivision consent granted by Council in 2008. A review of the Council file indicates that the olive grove management requirements were not relied upon in the assessment of that application. While the consent notice remains on the Record of Title, the earlier subdivision decision indicates that the olive estate framework was not determinative to Council's assessment of appropriate subdivision of the land.
- 6.16 This provides further support for the conclusion that the ongoing requirement to adhere to the Olive Grove Management Plan is no longer necessary to achieve appropriate resource management outcomes for the site.
- 6.17 For the reasons set out above, cancellation of Consent Notice D628531.11 as it applies to the subject site is considered appropriate and consistent with the purpose of the Resource Management Act 1991.

PART 2 OF THE RMA

- 7.0 The purpose of the RMA under s5 is to promote the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way or at a rate that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.
- 7.1 This application is considered to be consistent with this purpose. In particular, the proposal seeks to enable the wellbeing (social and economic) of the applicants by allowing efficient utilisation of their site and will ensure that adverse effects of the proposal on the environment will be avoided, remedied and/or mitigated.
- 7.2 Section 6 of the Act sets out a number of matters of national importance which need to be recognised and provided for and includes among other things and in no order of priority, the protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the protection of historic heritage. The site does not contain any identified "outstanding landscape" or features. It does not contain records of any significant indigenous vegetation and/or habitats of indigenous fauna, or any archaeologically significant or heritage items.
- 7.3 Section 7 identifies a number of "other matters" to be given particular regard by a council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values. The proposal is considered to be consistent with the maintenance and enhancement of amenity values.

- The development has been designed to take into account the surrounding



topography, and will not result in any adverse impacts on adjacent sites.

- The proposal will enable an efficient use of natural and physical resources as it will utilise land already used for residential purposes.

7.4 Section 8 requires all persons exercising functions and powers under the RMA to 'take into account' the Principles of the Treaty of Waitangi. No section 8 issues are considered to result.

7.5 Overall, the application is consistent with Part 2 of the RMA for the following reasons:

- The proposal provides for the wellbeing of people within the FNDC District by providing for the efficient utilisation of an existing site;
- The proposal avoids, remedies or mitigates adverse effects on the environment.

WRITTEN APPROVALS / CONSULTATION

8.0 The Applicant has consulted with Chorus and Top Energy on service provider matters, and the results of that consultation is contained in **Attachment 13**.

8.1 No other written approvals have been sought in this application as the building platforms comply with the relevant setbacks and are located so they integrate with the landform of the local landscape such that there will be no adverse effects arising on rural character or amenity of the local area. Moreover the density of proposed subdivision is consistent with that exhibited of neighbouring sites and as set out in Figure 12 and the adjacent land analysis in Attachment 2.

8.2 Whilst there is a marginal infringement of the required dimension of the shape factor on Lot 2 which results in trapezoidal configuration, there is nonetheless provision for a shape factor accommodating 900m² of available area for future development. This is consistent with the minimum area anticipated as a consequence of a complying shape factor dimension (30 metres by 30 metres). Future development can be accommodated within this shape factor and comply with the bulk and location standards of the ODP.

8.3 The properties most proximate to the proposed Lot 2 building platform as well as the parties sharing legal access have been considered. Having regard to platform separation, topographic containment, existing vegetation screening, and the established cadastral pattern of rural-residential occupation in the any adverse effects on those parties are assessed as less than minor.

8.4 In particular, traffic generation from one additional dwelling is low and occurs within an established access arrangement serving a small number of properties, and no upgrade to a formed legal road standard is triggered by the District Plan thresholds.



- 8.5 In addition, the Applicant is also agreeable to a consent notice precluding future occupants complaining about lawfully established or permitted rural activities on adjacent properties if required by Council.
- 8.6 It is anticipated that the FNDC will make this application available to local iwi during the processing of this application.

SECTION 95 NOTIFICATION

- 9.0 Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: mandatory public notification in certain circumstances

- 9.1 No mandatory notification is required as:
- the applicant has not requested that the application is publicly notified (s95A(3)(a))
 - there are no outstanding or refused requests for further information (s95C and s95A(3)(b)), and
 - the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

Step 2: if not required by step 1, public notification precluded in certain circumstances

- 9.2 The application is not precluded from public notification as:
- the activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
 - the application does not involve one or more of the activities specified in s95A(5)(b).

Step 3: if not precluded by step 2, public notification required in certain circumstances

- 9.3 The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)). For the reasons outlined earlier in this report public notification is not required as the activities will have or are likely to have adverse effects on the environment that are less than minor (s95A(8)(b)).

Step 4: public notification in special circumstances

- 9.4 If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;



- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.

9.5 Special circumstances” have been defined by the Court of Appeal as those that are unusual or exceptional, but they may be less than extraordinary or unique (*Peninsula Watchdog Group (Inc) v Minister of Energy* [1996] 2 NZLR 529). With regards to what may constitute an unusual or exceptional circumstance, Salmon J commented in *Bayley v Manukau CC* [1998] NZRMA 396 that if the district plan specifically envisages what is proposed, it cannot be described as being out of the ordinary and giving rise to special circumstances.

9.6 In *Murray v Whakatane DC* [1997] NZRMA 433, Elias J stated that circumstances which are “special” will be those which make notification desirable, notwithstanding the general provisions excluding the need for notification. In determining what may amount to “special circumstances” it is necessary to consider the matters relevant to the merits of the application as a whole, not merely those considerations stipulated in the tests for notification and service.

9.7 In this instance there are no special circumstances as the nature of the consent application is consistent with the rules, and objectives and policies for subdivision in the Rural Production zone.

Public notification conclusion

9.8 Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
- Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
- Under step 4, there are no special circumstances that warrant the application being publicly notified.

9.9 It is therefore recommended that this application be processed without public notification.

Limited notification assessment (sections 95B, 95E-95G)

10. If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.



Step 1: certain affected protected customary rights groups must be notified.

- 10.1 There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).
- 10.2 In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)). In this instance, the proposal is not on and will not affect land that is subject to a statutory acknowledgement, and will not result in adversely affected persons in this regard.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

- 10.3 The application is not precluded from limited notification as:
- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
 - the application is not exclusively for a controlled activity, other than a subdivision, that requires consent under a district plan (s95B(6)(b)).

Step 3: if not precluded by step 2, certain other affected persons must be notified.

- 10.4 As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded; and
- the adverse effects on those persons who have provided their written approval must be disregarded.



Adversely affected persons assessment (sections 95B(8) and 95E)

10.5 As already stated, and as illustrated earlier in this AEE, there are less than minor effects on persons arising from this application.

Step 4: further notification in special circumstances

10.6 In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrants it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

10.7 In this instance there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

Limited notification conclusion

10.8 Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

10.9 It is therefore recommended that this application be processed without limited notification.



CONCLUSION

11. Under the FNDC ODP the application site is zoned Rural Production. The proposal seeks discretionary subdivision consent which is consistent with the objectives and policies and assessment criteria of the zone.
- 11.1 In addition, removal of a redundant consent notice is sought so that it is not unnecessarily carried down to the new Titles.
- 11.2 The applications have been assessed in terms of the matters detailed in the relevant sections of the RMA (1991), and the FNDC ODP.
- 11.3 In my opinion the proposal accords with Section 104 and s.221 of the RMA and can be granted resource consent on a non-notified basis

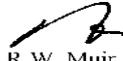
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ISOCARP
February 2026

Attachment 1



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




R. W. Muir
Registrar-General
of Land

Identifier NA133B/634
Land Registration District North Auckland
Date Issued 06 August 2001

Prior References

NA509/252 NA5D/1480

Estate Fee Simple
Area 9.3807 hectares more or less
Legal Description Lot 4 Deposited Plan 205071
Registered Owners
GT Rentals Limited

Estate Fee Simple - 1/5 share
Area 4902 square metres more or less
Legal Description Lot 57 Deposited Plan 205071
Registered Owners
GT Rentals Limited

Interests

Subject to Section 241(2) Resource Management Act 1991

Subject to Section 59 Land Act 1948 (affects part formerly CT NA5D/1480)

D628531.11 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 6.8.2001 at 2.18 pm (affects Lot 4 DP 205071)

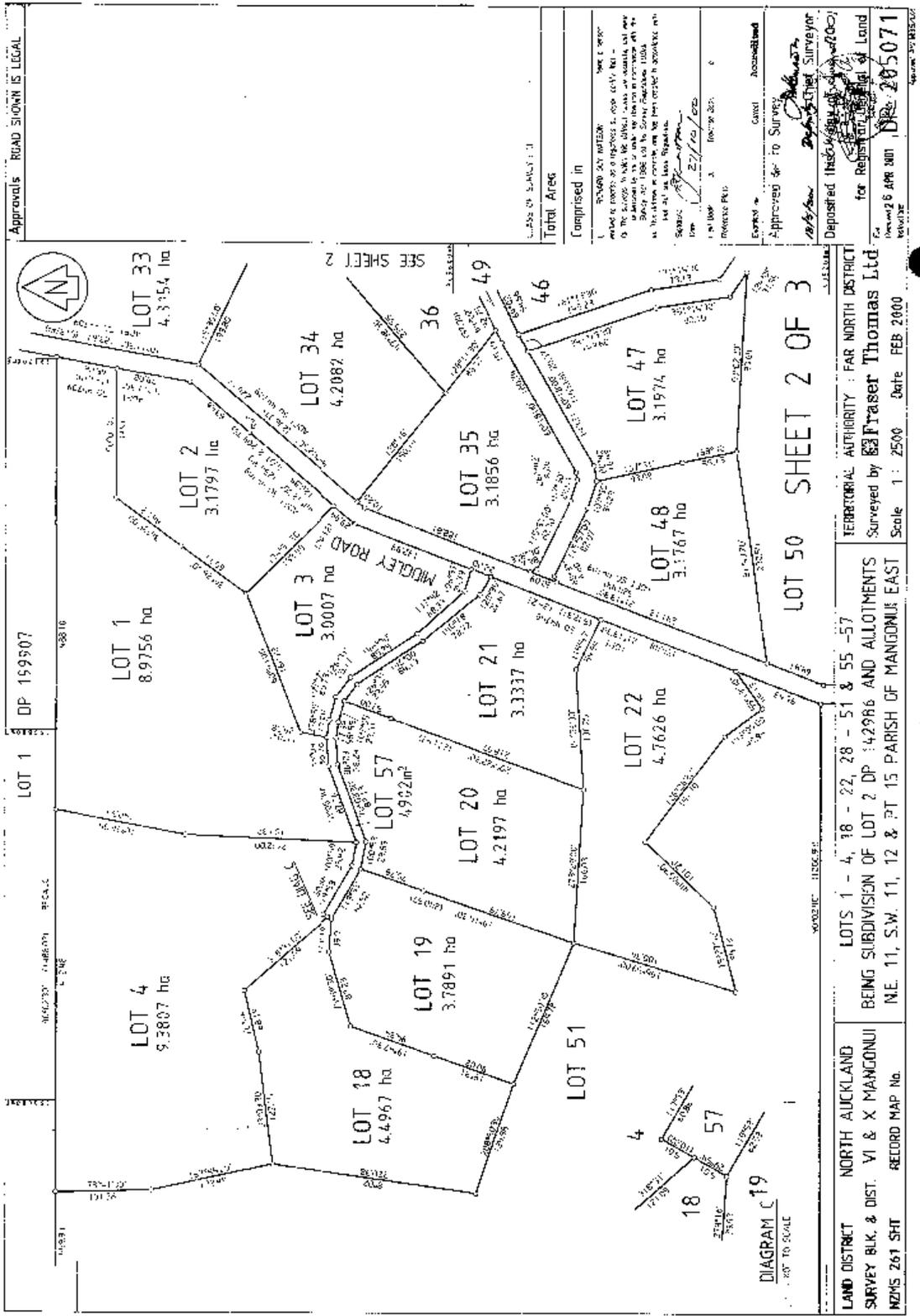
Subject to an electricity transmission right (in gross) in favour of Top Energy Limited created by Transfer D628531.14 - 6.8.2001 at 2.18 pm (affects Lot 57 DP 205071)

The easements created by Transfer D628531.14 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Transfer 5996465.2 - 7.5.2004 at 9:00 am

13399195.2 Mortgage to Westpac New Zealand Limited - 8.9.2025 at 4:46 pm

Micro Record Bureau Ltd
 www.combination.com
 100, 101 & 102, Market Street, Auckland, New Zealand
 Phone: 09 308 9000
 Fax: 09 308 9001
 Email: info@microrecord.co.nz



DG28531.11 CONO

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING:

The subdivision of
Lot 2 DP 142986
and Allotments NE11, SW11,
12 and Part 15
Parish of Mangonui East
Blks VI and X Mangonui SD
North Auckland Registry

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

SCHEDULE 1

- (1) The olive grove management plan (produced in accordance with condition 2(f)) is to be adhered to by the person responsible for the olive grove management on each new title (as arranged between the allotment owner and the grove management company). A copy of the olive grove management plan shall be given to the purchaser of each new allotment by the consent holder and passed on with any subsequent transfer of the land.

SCHEDULE 2

- (1) Condition (1) in Schedule (1) refers to Lots 1 - 4, 18 - 22, 28 - 48 and 50 DP 205071, being contained in Certificates of Title 133B/631 - 133B/661.

SIGNED:

PJ Killelea
RESOURCE CONSENTS MANAGER for the Far North District Council

DATE:

16th May 2001

SIGNED by

AB

as registered proprietor(s)

in the presence of:

Jenny Taylor gmbf
Name

Office Clerk
Occupation



Max Beckham
P O Box 562
KAITIA

PHONE/FAX: (09) 4067 725
MOBILE: (025) 814 961
EMAIL: max.jenny@hyper.net.nz

GROVE MANAGEMENT PLAN

PREPARATION

All ground which is to be planted in olives are deep ripped to 500-600mm deep, rotary hoed, levelled where necessary, power harrowed with packer roller, sown with a rye-clover mixture with a Cambridge Roller seed box method (roll-seed-roll).

SPACING & STAKING

All rows are spaced at 8m x 5m. Stakes either 30x30 Eucalyptus or RS Tanalised pine. All rows are marked with a laser for perfect alignment.

PLANTING

Holes are hand dug into cultivated, newly grassed soil. Trees are planted, and then tied to stake with 25mm poly tube and staples.

FERTILISER

All blocks being planted are soil and leaf tested either by Russell Fransham or a Fertiliser Company Representative. Lime and fertiliser are applied to a two-metre band around each tree. In future years lime, fertiliser, etc will be ground spread over total area (as recommended by consultants).

WEED CONTROL

All weeds are sprayed in a two-metre band from tree with Round-Up. In between rows grass is controlled by mulching bi or tri annually. No hormone sprays to be used and no aerial application. Use low drift nozzles and cone type cover.

PRUNING

Pruning will commence at year two, taking off lower branches and shaping tree as recommended by consultants. Pruning will be done annually or as required.

SELECTION OF TREE VARIETIES

The trees chosen for this development have been carefully selected by studying various varieties in the Far North over the last five years. In the Far North the varieties selected are JS, Leccino, Frantoio and pollinators are Ascalando and Pendelino. A number of these

trees are planted on every block. The pollinators are now not needed because of the three varieties planted, but to maximise yields all J5 varieties are planted with 10% Ascalando pollinators. Leccino variety planted with 10% Pendolino pollinators. There appears to be no advantage planting pollinators with Frantoio. All pollinators selected fruit just as well as our main selection. Any buyer wanting other varieties or pickling type olive will certainly not be discouraged.

SHELTER

Most internal boundaries will be planted with Leyland Cyprus hedging. Hedging will be kept to a manageable height so as not to interfere with neighbouring views.

PEST CONTROL

Rabbits and hares appear to be the olives worst enemy. Night shooting seems the best way to dealing with this. The Calici Virus has been recently released and this should take care of the rabbits. Possums are poisoned with feratox summer and winter over the whole property; this also protects our major planting of native trees.

IRRIGATION

There is no requirement for irrigation of olives but if demand from blocks owners is strong ie. 10 minimum, a bore will be sunk and an irrigation scheme put in place in accordance with Council requirements.

HOUSEHOLD WATER

Tank water collected from house roofs is normal supply but due to enquiries a bore will most likely be drilled down to the aquifer and a scheme put in place.

HARVESTING AND PROCESSING

Year two, three and four olives will be hand picked and processed locally, blending different oils so as to maximise returns for block owners. Year five we should have sufficient olives to purchase our own picking processing press etc.

ALLOTMENT OWNERS ADHERANCE TO MANAGEMENT PLAN

A copy of the Olive Grove Management Plan is to be given to the purchaser of each new allotment by the consent holder and passed on with any subsequent transfer of the land together with the signing of an initial ten year management contract binding owners to annual soil and leaf tests and consultant's six monthly report recommendations implementing such management plan towards success of the whole venture.

There is a "Failure to Perform" clause in the management contract guarding against any owner who may do work on their own Lot not adhering to the Management Plan.

LNZ COPY



1-4
18-22
28-48
RW

2.18 06AUG01 D 628531 .11

PATRICULARS ENTERED IN REGISTER
LAND REG



50/1480
840/1574
879/287

TRANSFER
Land Transfer Act 1952

D628531.14 TE



If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule; no other format will be received.

Land Registration District

NORTH AUCKLAND

Certificate of Title No. All or Part? Area and legal description -- Insert only when part or Stratum, CT

133B 638
133B 639
(Continued on page 2 annexure schedule)

Transferor Sumames must be underlined or in CAPITALS

OCEAN VIEW OLIVES LIMITED

Transferee Sumames must be underlined or in CAPITALS

TOP ENERGY LIMITED at Kaikohe

Estate or interest or Easement to be created: Insert e.g. Fee simple; Leasehold in Lease No; Right of way etc.

Electricity Transmission Easement in Gross (continued on page 2 annexure schedule)

Consideration

ONE DOLLAR (\$1.00)

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 20 day of June 2001

Attestation

Signed in my presence by the Transferor
Signature of Witness
Witness to complete in BLOCK letters (unless typewritten or legibly stamped)
Witness name Suzanne Jane Grant
Occupation Secretary
Address Kenken
Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952
Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1971.
(DELETE IN APPLICABLE CERTIFICATE)

Solicitor for the Transferee

Approved by Registrar-General of Land under No. 1995/5003EF

Annexure Schedule



Insert below
"Mortgage", "Transfer", "Lease" etc

[]

Dated

[]

Page

[]

of

[]

Pages

Certificate of Title No.	All or Part?
133B/631	All
133B/634	All
133B/635	All
133B/636	All
133B/637	All
133B/641	All
133B/650	All
133B/651	All
133B/652	All
133B/653	All
133B/654	All
133B/661	All

hot 57

hot 55

hot 50

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Annexure Schedule



TRANSFER

Dated

20 June 2001

Page

1

of

5

Pages

Continuation of "Certificate of Title No."

Certificate of Title No.	All or Part?
133B/643	All
133B/646	All
133B/647	All
133B/648	All
133B/657	All
133B/658	All
133B/659	All
133B/660	All

Continuation of "Estate or Interest or Easement" to be created

1. Transfer and Grant of Transmission Easement

1.1 In consideration of the covenants on the part of the Transferee contained in this Memorandum, the Transferor **TRANSFERS AND GRANTS** to the Transferee and any other persons authorised (expressly or impliedly) by the Transferee an electricity transmission easement in gross over the land herein described in the aforementioned Certificates of Title ("the Land") with the following rights and interests (the "Transmission Easement").

1.1.1 The right to survey and investigate in respect of, and to lay, construct, operate, inspect, use, cleanse, maintain, repair, renew, upgrade, change the size of and remove, the Transmission Line in, over, on, under or through that part of the Land marked "Lots 55, 56 and 57" on Deposited Plan 205071 ("the Servient Land").

1.1.2 The right to convey, send, transmit or transport electricity and telecommunications signals, waves or impulses in, over, on, under or through the Servient Land.

1.1.3 The right with any vehicles, equipment, aircraft and materials of any kind, to enter on the Land and the Servient Land for any and all purposes necessary or convenient for the Transferee to exercise its rights and interests granted under this memorandum (including the right to extinguish fires), but subject to the conditions that as little disturbance as is reasonably possible is caused to the Transferor, the Land, and the Transferor's stock and other property in doing so and that, where applicable, all gates on the Land are left as the Transferee and those other authorised persons find them.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Annexure Schedule



Insert below
"Mortgage", "Transfer", "Lease" etc

Transfer

Dated 20 June 2001

Page 2 of 5 Pages

- 1.1.4 The right to construct on the Servient Land whatever roads, tracks, access ways, fences, gates and other works deemed necessary by the Transferee for it to exercise its rights and interests granted under this memorandum and which are approved by the Transferor (that approval not to be unreasonably withheld), but subject to the condition that as little disturbance as possible is caused to the Transferor, the Land, and the Transferor's stock and other property in doing so.
- 1.1.5 The right to keep the Servient Land cleared of all buildings or structures (including any buildings or structures which overhang the Servient Land) by any means the Transferee may consider necessary.
- 1.1.6 The right to keep the Servient Land cleared of any fences or vegetation, both natural and cultivated, including trees and shrubs (including any fences, or vegetation which overhang the Servient Land) by any means which the Transferee may consider necessary where such fences or vegetation:
 - (a) breach any statutory or regulatory requirements or standards or codes of practice or otherwise breach generally accepted engineering standards as to the minimum clearance of the Transmission Line;
 - (b) impedes the Transferee's access over the Servient Land; or
 - (c) inhibits the safe and efficient operation of the Transmission Line.
- 1.1.7 The right by whatever means or method as the Transferee considers necessary to level and grade any stockpiled soil, sand, gravel or other substance or any materials, walls or other earthworks that may exist on the Servient Land in order to ensure that the clearance above the ground level of the Transmission Line is maintained greater than any minimum clearance height that may exist from time to time in statute, regulations, code of practice or otherwise, subject to reasonable access being maintained through the Servient Land.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Annexure Schedule



Insert below
"Mortgage", "Transfer", "Lease" etc

Transfer

Dated

20 June 2001

Page

3

of

5

Pages

2. COVENANTS

2.1 Ownership of the Transmission Line

2.1.1 The Transmission Line will become and remain the property of the Transferee.

2.2 Buildings Structures Fences and Vegetation

2.2.1 The Transferee may consent in writing to certain existing buildings, structures, fences or vegetation upon or overhanging the Servient Land at the date of this Memorandum remaining there. If the existence of those buildings, structures, fences or vegetation so consented to, or any additional buildings, structures, fences or vegetation consented to pursuant to clause 2.2.3, subsequently results in a situation described in clause 1.1.5 (a) - (c) then such consent may be revoked by the Transferee but without compensation. If such consent is revoked the cost of removal of any buildings, structures, fences or vegetation shall be borne by the Transferee. Before removing any fence pursuant to this clause the Transferee shall consult with the Transferor so the Transferor is given a reasonable opportunity to co-ordinate the erection of any necessary replacement fence. The erection of any such replacement fence and the cost of it will be the Transferor's responsibility.

2.2.2 The Transferee shall be responsible for the removal of any building, structures, fences or vegetation on or overhanging the Servient Land at the date of this Memorandum in respect of which no consent in writing has been sought or obtained pursuant to clause 2.2.1.

2.2.3 The Transferee may consent in writing to the construction after the date of this Memorandum of any buildings, structures, fences or the planting or cultivation of vegetation including trees and shrubs on the Servient Land, or on the land to the extent any buildings, structures, fences or vegetation overhangs the Servient Land.

2.2.4 The Transferee shall not be responsible for or be liable to contribute to the cost of removing any buildings, structures, fences or vegetation, built or cultivated on or overhanging the Servient Land after the date of this Memorandum in respect of which no consent in writing has been sought or obtained pursuant to clause 2.2.3.

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Auckland District Law Society

REF 4120

Annexure Schedule



Insert below "Mortgage", "Transfer", "Lease" etc

Transfer

Dated

20 June 2001

Page

4

of

5

Pages

2.3 Restoration of Land

2.3.1 The Transferee will be responsible for restoring any part of the Land affected by the Transferee exercising any of its rights under this Memorandum to a condition equivalent, as far as is reasonably practicable, to that existing before the Transferee exercised those rights.

2.4 Transferor's Continued Use of Servient Land

2.4.1 The Transferor may use the Servient Land so long as that use does not unreasonably interfere with the enjoyment of the Transferee's rights and interests granted under this memorandum.

2.5 Restrictions on Transferor's Use

2.5.1 The Transferor must not at any time after the date of this memorandum, do permit or suffer to be done any act whereby the rights, powers, licences and liberties granted to the Transferee under this memorandum may be interfered with or affected in any way and, in particular, the Transferor must not, without the consent in writing of the Transferee:

- (a) make, or permit to be made, any alterations or additions to any buildings or structures existing on the Servient Land at the date of this Memorandum which affect the overall dimensions of those buildings or structures;
- (b) erect, or permit the erection, of any buildings or structures on the Servient Land;
- (c) stockpile or fill with, or permit the stockpiling of or filling with, any soil, sand, gravel or other substance or materials, or construct, or permit the construction of, any roads, dam walls or other earthworks on the Servient Land which would in any way reduce the clearance above the ground level of the Transmission Lines below the minimum clearance height that may exist, from time to time, in statute, regulations, code of practice or otherwise;

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Handwritten signatures and initials of signing parties and witnesses.

Annexure Schedule



Insert below "Mortgage", "Transfer", "Lease" etc

Transfer

Dated 20 June 2001

Page 5 of 5 Pages

- (e) reference to the parties include their respective successors and assigns; and
- (f) references to a statute or statutory provision includes references to that statute or statutory provision (as the case may be) and to any regulations made pursuant to that statute or statutory provision (as the case may be) as from time to time modified, codified or re-enacted, whether before or after the date of this memorandum, so far as that modification, codification or re-enactment applies, or is capable of applying, to this memorandum and the transfer and grant of the Transmission Easement under it.

Executed as a Memorandum on 18 day of June 2001.

THE COMMON SEAL OF TOP ENERGY LIMITED was hereunto affixed in the presence of:



Handwritten signatures of two directors.

Director

Director

Witness: Ian David Trethewey Financial Accountant Kaitake.

If this Annexure Schedule is used as an expansion of an Instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Handwritten signatures and initials of signing parties and witnesses.

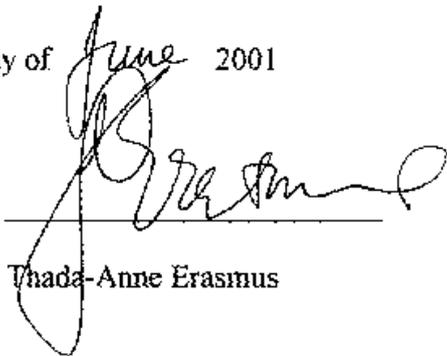
CERTIFICATE OF NON-REVOCATION
OF POWER OF ATTORNEY

I, **THADA-ANNE ERASMUS** of Kerikeri in New Zealand, Lawyer,
hereby certify:

1. **THAT** by Deed dated the 20th day of June 2001 **Ocean View Olives Limited** appointed me its attorney on the terms and subject to the conditions set out in the said Deed a copy of which Deed was deposited in the Land Transfer Office at Auckland on the _____ day of _____ 2001 under number _____.

2. **THAT** at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of **Ocean View Olives Limited** or otherwise.

SIGNED AT Auckland this 25th day of June 2001



Thada-Anne Erasmus

Approved by Registrar-General
of Land under No. 1995/1004EF



TRANSFER

Land Transfer Act 1952

Law Firm Acting
Thada-Anne Erasmus
113 Kerikeri Road
Kerikeri
DX: AA21025
PO Box 702

Auckland District Law Society
REF: 4135 14



650-654
661

PATRICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
FOR REGISTRATION

218 06.AUG01 D 628531

WWW COPY



This page is for Land Registry Office use only.
(except for "Law Firm Acting")

Attachment 2

Adjacent Land Assessment

Beckham – 190D Midgley Road

- 1.1 Adjacent land uses are both rural and rural residential in nature. A table identifying the legal descriptions of adjacent land (where available) and associated land uses is contained in Table 1 below;

Street Address	Legal Description	Property Description
200 Midgley Road	Lot 21 Deposited Plan 205071	Rural site comprising 3.3 hectares with dwelling and olive plantings.
Unknown	Lot 20 Deposited Plan 205071	Vacant rural site comprising 4.2 hectares containing olive plantings.
Unknown	Lot 19 Deposited Plan 205071	Rural site comprising 3.79 hectares with dwelling and olive plantings.
Unknown	Lot 18 Deposited Plan 205071	Vacant rural site comprising 4.49 hectares with olive plantings.
125D Frantoio Ridge Road	Lot 10 Deposited Plan 207729	Vacant Rural site comprising 3.7 hectares with olive plantings.
125C Frantoio Ridge Road	Lot 5 Deposited Plan 207729	Rural site comprising 3.49 hectares with dwelling and olive plantings.
Unknown	Lot 7 Deposited Plan 600359	Vacant rural site comprising 13.15 hectares with regenerating vegetation.
139 Puketiti Drove	Lot 2 Deposited Plan 600359	Rural residential lot comprising 2.1 hectares with a dwelling within regenerating vegetation.
122 Puketiti Drive	Lot 1 Deposited Plan 600359	Rural residential lot comprising 3.17 hectares with a dwelling within regenerating vegetation.
77 Puketiti Drive	Lot 1 Deposited Plan 362675	Vacant rural site comprising 7.6 hectares with regenerating vegetation.
144 Midgely Road	Lot 1 Deposited Plan 205071	Rural site comprising 8.98 hectares with dwelling and partially covered in regenerating vegetation.
176 Midgley Road	Lot 3 Deposited Plan 205071	Rural site comprising 3.0 hectares with dwelling and olive plantings.

- 1.2 An image showing the location of the adjacent land is below in Figure 2 below;



Figure 2 : Adjacent Land Assessment

Key

★ = Adjacent Land

Attachment 3

1998 Parent Subdivision Decision

FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource
Management Act 1991:

AND

IN THE MATTER of an application
under the aforesaid Act, 1991
by STARGATE HOLDINGS LTD

APPLICATION NUMBER RC 1980846

HEARINGS APPLICATION TO SUBDIVIDE TO CREATE 47 RURAL
ALLOTMENTS FOR THE GROWING OF OLIVE TREES AND FORESTRY.

The property in respect of which the application is made, is situated at MIDGLEY
ROAD, ORUAITI

HEARING

Before the Hearings Committee of the Far North District Council, on the 23 JUNE
1998 AND DECISION OF 14 JULY 1998

DECISION

"THAT PURSUANT TO SECTION 105(1)(c) OF THE RESOURCE
MANAGEMENT ACT 1991, COUNCIL GRANTS CONSENT TO THE
SUBDIVISION BY STARGATE HOLDINGS LTD (RC 1980846) (STAGES 1
AND 2) OF LOT 2 DP 142986 and ALLOTMENTS NE11, SW11, 12, NW 13,
SE 13 and 15 PARISH OF MANGONU I EAST AS SHOWN ON PLAN
NUMBER 83346B DRAWN BY FRASER THOMAS.

STAGE 1 (Being to create Lots 2, 3, 21, 22, 28-48 and 50)

THE FOLLOWING CONDITIONS ARE IMPOSED FOR STAGE 1
PURSUANT TO SECTIONS 108 and 220 OF THE ACT

1. THAT, PRIOR TO APPROVAL UNDER SECTION 223 OF THE ACT,
THE SURVEY PLAN SHALL SHOW:
 - (a) ONLY ONE LOT GAINING LEGAL ACCESS FROM
SIMMENTAL LANE, IN ACCORDANCE WITH THE FRASER
THOMAS DRAWING 83346 REVISION D.
 - (b) THE ENDORSEMENT OF THE FOLLOWING CONDITIONAL
AMALGAMATIONS, PURSUANT TO SECTION 220(1)(b)(iv)
OF THE RESOURCE MANAGEMENT ACT 1991:
 - (i) LOT 55 TO BE HELD AS TO SEVEN UNDIVIDED ONE-
SEVENTH SHARES BY THE OWNERS OF LOTS 29, 38,

39, 40, 41, 42 AND 50 THEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.

- (ii) LOT 56 TO BE HELD AS TO THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 39, 40 AND 41, THEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.
 - (c) RIGHT OF WAY "H" GRANTED OR RESERVED AND TO INCLUDE POWER AND TELECOMMUNICATIONS.
 - (d) NAMING OF THE ROADS TO VEST AS PROVIDED FOR IN CONDITION 2(d).
2. THAT, BEFORE A CERTIFICATE IS ISSUED PURSUANT TO SECTION 224 OF THE ACT, THE APPLICANT SHALL:
- (a) PAY TO COUNCIL A ROAD UPGRADING CONTRIBUTION OF \$181,547 TOWARDS IMPROVEMENTS TO THE INTERSECTION OF SH10 AND MIDGLEY ROAD, AND THE SEALING OF MIDGLEY ROAD AS FAR AS THE NORTHERN BOUNDARY OF LOT 2 DP 142986.

Note: This contribution represents the estimated cost of upgrading as shared with other existing and approved allotments served by Midgley Road. The cost includes a 20% contingency. If actual costs are less than estimated, the Council will refund the amount overpaid.

- (b) PROVIDE A DETAILED STORMWATER MANAGEMENT PLAN DESIGNED BY A REGISTERED ENGINEER FOR THE MANAGEMENT OF RUNOFF FROM THE PROPOSED ROADS AND ACCESSWAYS, FOR THE APPROVAL OF COUNCIL.
- (c) PROVIDE AND COMPLETE THE FORMATION, SURFACING AND DRAINAGE OF SITE ACCESS, FROM A LINE ADJOINING THE SOUTHERN BOUNDARY OF LOT 1 DP 152543 (THE PROPOSED END OF THE MIDGELY ROAD SEALING) TO ALL THE STAGE 1 ALLOTMENTS AS FOLLOWS:
 - i. THE SPECIFIED STANDARDS ARE TO BE AS SET OUT IN CHAPTER 6 OF THE DISTRICT COUNCIL'S "ENGINEERING STANDARDS AND GUIDELINES" [APRIL 1998] AND SHOWN ON DRAWING "FNDC/S/07" THEREIN;
 - ii. THE FORMATION OF MIDGELY ROAD AND "ROAD NO. 2 IS TO BE TO THE "TYPE B" RURAL ROAD CROSS SECTION STANDARD;
 - iii. THE FORMATION OF JOAW LOTS 55 AND 56 IS TO BE TO THE "TYPE A" RURAL ROAD CROSS SECTION STANDARD [LOT 56 MAY HAVE A CARRIAGEWAY WIDTH OF 3.5M];

- iv. THE WORKS SHALL BE IN ACCORDANCE WITH THE APPROVED STORMWATER MANAGEMENT PLAN AS SPECIFIED ABOVE;
 - v. PRIOR APPROVAL BY THE COUNCIL OF ENGINEERING DRAWINGS, IF DEEMED NECESSARY, FOR THE FORMATION OF THE ACCESS IS A PREREQUISITE OF ANY CONSTRUCTION.
- (d) PROVIDE TO COUNCIL FOR CONSIDERATION BY THE NORTHERN COMMUNITY BOARD AT LEAST THREE ALTERNATIVE NAMES FOR EACH OF THE ROADS TO VEST.
- (e) SATISFY COUNCIL THAT SEPARATE TELEPHONE AND POWER CONNECTIONS HAVE BEEN INSTALLED TO EACH NEW LOT BY PROVIDING DOCUMENTATION THAT THE SERVICE PROVIDERS ARE SATISFIED WITH THE INSTALMENTS.
- (f) SATISFY COUNCIL THAT ALL OF THE OLIVE TREE PLANTING (I.E. TWO HECTARES ON EACH ALLOTMENT FOR WHICH OLIVES WERE THE PROPOSED BONA FIDE USE) HAS BEEN CARRIED OUT.
- (g) PROVIDE, TO THE SATISFACTION OF COUNCIL, AN OLIVE GROVE MANAGEMENT PLAN WHICH IDENTIFIES, AT THE APPROPRIATE LEVEL OF DETAIL, THE MANAGEMENT STRATEGIES, OBJECTIVES AND METHODS OF IMPLEMENTATION FOR AT LEAST THE FIRST TEN YEARS OF THE OPERATION OF THE GROVE. IN PARTICULAR THE PLAN SHALL IDENTIFY LAYOUT, TRAINING, PRUNING, FERTILISING, PEST AND HERBICIDE CONTROL METHODS (INCLUDING THE APPLICANTS PROPOSAL THAT THERE BE NO AERIAL SPRAYING), MAINTENANCE, WATER SUPPLY, HARVESTING AND ANY OTHER RELEVANT MATTERS.
- (h) SECURE THE CONDITIONS BELOW BY WAY OF A CONSENT NOTICE ISSUED UNDER SECTION 221 OF THE ACT, TO BE REGISTERED AGAINST THE TITLES OF ALL LOTS. THE COST OF PREPARING, CHECKING AND EXECUTING THE NOTICE SHALL BE MET BY THE APPLICANT:
- (i) THE OLIVE GROVE MANAGEMENT PLAN (PRODUCED IN ACCORDANCE WITH CONDITION 2(g)) IS TO BE ADHERED TO BY THE PERSON RESPONSIBLE FOR THE OLIVE GROVE MANAGEMENT ON EACH NEW TITLE (AS ARRANGED BETWEEN THE ALLOTMENT OWNER AND THE GROVE MANAGEMENT COMPANY). A COPY OF THE OLIVE GROVE MANAGEMENT PLAN SHALL BE GIVEN TO THE PURCHASER OF EACH NEW ALLOTMENT BY THE CONSENT HOLDER AND PASSED ON WITH ANY SUBSEQUENT TRANSFER OF THE LAND.

- (i) SECURE THE CONDITIONS BELOW BY WAY OF A CONSENT NOTICE ISSUED UNDER SECTION 221 OF THE ACT, TO BE REGISTERED AGAINST THE TITLES OF LOTS 40, 41 AND 50. THE COST OF PREPARING, CHECKING AND EXECUTING THE NOTICE SHALL BE MET BY THE APPLICANT:
 - a. A TWENTY METRE BUFFER STRIP SHALL BE SET ASIDE ALONG THE BOUNDARY OF MEAN HIGH WATER SPRINGS, WITHIN WHICH NO LAND CLEARANCE SHALL OCCUR (WITH THE EXCEPTION OF WEED SPECIES) AND NO PLANTING OF EXOTIC SPECIES SHALL OCCUR. THIS BUFFER AREA SHALL BE MANAGED SO AS TO PROTECT AND ENHANCE WATER QUALITY IN THE ORUAITI RIVER AND THE ECOLOGICAL VALUES AND NATURAL CHARACTER OF THE COASTAL MARGIN.
 - b. THE ARCHAEOLOGICAL ASSESSMENT BY DAVID NEVIN SUBMITTED WITH THE APPLICATION, DATED MARCH 1998 IDENTIFIES ARCHAEOLOGICAL SITES ON LOTS 40, 41 AND 50. RECOMMENDATIONS IN THE REPORT SHALL BE ADHERED TO BY LANDOWNERS.
- (j) THE APPLICANT SHALL MAKE AVAILABLE TO NORTHWATCH, AS OFFERED, A SUM OF \$20,000 TOWARDS THE COST OF PURCHASING INDIGENOUS TREES AND PLANTING THEM WITHIN THE BUFFER STRIP.
- 3. FURTHER THE COUNCIL RESOLVES PURSUANT TO SECTION 321(3)(c) OF THE LOCAL GOVERNMENT ACT 1974 THAT ADEQUATE ACCESS IS PROVIDED TO LOTS 28, 29, 39 - 41 VIA JOINTLY OWNED ACCESS LOTS, AND COUNCIL RESOLVES ON THAT GROUND THAT SECTION 321(1) OF THE ACT SHALL NOT APPLY.

STAGE 2 (Being to create Lots 1, 4-20 and 23-25).

(NOTE - if Stage 2 occurs before Stage 1, condition 2(a) of Stage 1 shall be deemed to be a condition of Stage 2.)

THE CONSENT FOR STAGE 2 SHALL LAPSE UPON THE EXPIRY OF FOUR YEARS AFTER THE DATE OF COMMENCEMENT OF THIS CONSENT, UNLESS OTHERWISE GIVEN EFFECT TO, AS PROVIDED FOR IN SECTION 125 OF THE ACT

THE FOLLOWING CONDITIONS ARE IMPOSED FOR STAGE 2 PURSUANT TO SECTIONS 108 and 220 OF THE ACT

- 1. THAT, PRIOR TO APPROVAL UNDER SECTION 223 OF THE ACT, THE SURVEY PLAN SHALL SHOW:
 - (a) THE ENDORSEMENT OF THE FOLLOWING CONDITIONAL AMALGAMATIONS, PURSUANT TO SECTION 220(1)(b)(iv) OF THE RESOURCE MANAGEMENT ACT 1991:
 - (i) LOT 57 TO BE HELD AS TO FIVE UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 5, 6, 7, 8 AND 9 THEREON AS TENANTS IN COMMON IN THE SAID

SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.

(ii) LOT 58 TO BE HELD AS TO FOUR UNDIVIDED ONE-FOURTH SHARES BY THE OWNERS OF LOTS 12, 13, 14, AND 15 THEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.

(iii) LOT 59 TO BE HELD AS TO THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 23, 24 AND 25 THEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.

- (b) AN ACCESS STRIP IN TERMS OF SECTION 237B RUNNING FROM ROAD NO. 1 TO LOT 60
- (c) LOT 60 VESTING AS ESPLANADE RESERVE AND/OR THE CROWN IN TERMS OF SECTIONS 231 AND 237A OF THE ACT
- (d) NAMING OF THE ROADS TO VEST AS PROVIDED FOR IN CONDITION 2(d) ABOVE (STAGE 1)

2. THAT, BEFORE A CERTIFICATE IS ISSUED PURSUANT TO SECTION 224 OF THE ACT, THE APPLICANT SHALL:

- (a) PROVIDE A DETAILED STORMWATER MANAGEMENT PLAN DESIGNED BY A REGISTERED ENGINEER FOR THE MANAGEMENT OF RUNOFF FROM THE PROPOSED ROADS AND ACCESSWAYS, FOR THE APPROVAL OF COUNCIL.
- (b) PROVIDE AND COMPLETE THE FORMATION, SURFACING AND DRAINAGE OF SITE ACCESS, FROM A LINE ADJOINING THE SOUTHERN BOUNDARY OF LOT 1 DP 152543 (THE PROPOSED END OF THE MIDGELEY ROAD SEALING) TO ALL THE STAGE II ALLOTMENTS AS FOLLOWS:
 - i. THE SPECIFIED STANDARDS ARE TO BE AS SET OUT IN CHAPTER 6 OF THE DISTRICT COUNCIL'S "ENGINEERING STANDARDS AND GUIDELINES" [APRIL 1998] AND SHOWN ON DRAWING "FNDC/S/07" THEREIN;
 - ii. THE FORMATION OF MIDGELEY ROAD AND "ROAD NO. 1" IS TO BE TO THE "TYPE B" RURAL ROAD CROSS SECTION STANDARD;
 - iii. THE FORMATION OF JOAW LOTS 58 AND 59 IS TO BE TO THE "TYPE A" RURAL ROAD CROSS SECTION STANDARD;
 - iv. THE WORKS SHALL BE IN ACCORDANCE WITH THE APPROVED STORMWATER MANAGEMENT PLAN AS SPECIFIED ABOVE;
 - v. PRIOR APPROVAL BY THE COUNCIL OF ENGINEERING DRAWINGS, IF DEEMED NECESSARY,

FOR THE FORMATION OF THE ACCESS IS A PREREQUISITE OF ANY CONSTRUCTION.

- (c) SATISFY COUNCIL THAT SEPARATE TELEPHONE AND POWER CONNECTIONS HAVE BEEN INSTALLED TO EACH NEW LOT BY PROVIDING DOCUMENTATION THAT THE SERVICE PROVIDERS ARE SATISFIED WITH THE INSTALMENTS.
- (d) SATISFY COUNCIL THAT ALL OF THE OLIVE TREE PLANTING (I.E. TWO HECTARES ON EACH ALLOTMENT FOR WHICH OLIVES WERE THE PROPOSED BONA FIDE USE) HAS BEEN CARRIED OUT.
- (e) SECURE THE CONDITIONS BELOW BY WAY OF A CONSENT NOTICE ISSUED UNDER SECTION 221 OF THE ACT, TO BE REGISTERED AGAINST THE TITLES OF ALL LOTS. THE COST OF PREPARING, CHECKING AND EXECUTING THE NOTICE SHALL BE MET BY THE APPLICANT:
 - (i) THE OLIVE GROVE MANAGEMENT PLAN (PRODUCED IN ACCORDANCE WITH CONDITION 2(f)) IS TO BE ADHERED TO BY THE PERSON RESPONSIBLE FOR THE OLIVE GROVE MANAGEMENT ON EACH NEW TITLE (AS ARRANGED BETWEEN THE ALLOTMENT OWNER AND THE GROVE MANAGEMENT COMPANY). A COPY OF THE OLIVE GROVE MANAGEMENT PLAN SHALL BE GIVEN TO THE PURCHASER OF EACH NEW ALLOTMENT BY THE CONSENT HOLDER AND PASSED ON WITH ANY SUBSEQUENT TRANSFER OF THE LAND.
 - (ii) ALL BUILDINGS SHALL BE SO LOCATED THAT THEY APPEAR BELOW THE SKYLINE WHEN VIEWED FROM STATE HIGHWAY 10. ALL BUILDINGS WHICH ARE VISIBLE FROM STATE HIGHWAY 10 SHALL BE FINISHED IN NATURAL, RECESSIVE COLOURS.
- (f) PROVIDE, TO THE SATISFACTION OF COUNCIL, AND OLIVE GROVE MANAGEMENT PLAN WHICH IDENTIFIES, AT THE APPROPRIATE LEVEL OF DETAIL, THE MANAGEMENT STRATEGIES, OBJECTIVES AND METHODS OF IMPLEMENTATION FOR AT LEAST THE FIRST TEN YEARS OF THE OPERATION OF THE GROVE. IN PARTICULAR THE PLAN SHALL IDENTIFY LAYOUT, TRAINING, PRUNING, FERTILISING, PEST AND HERBICIDE CONTROL METHODS (INCLUDING THE APPLICANTS PROPOSAL THAT THERE BE NO AERIAL SPRAYING), MAINTENANCE, WATER SUPPLY, HARVESTING AND ANY OTHER RELEVANT MATTERS.
- (g) SECURE THE CONDITIONS BELOW BY WAY OF A CONSENT NOTICE ISSUED UNDER SECTION 221 OF THE ACT, TO BE REGISTERED AGAINST THE TITLES OF LOTS 13, 14, 24 AND 25. IF THE ESPLANADE RESERVE TO BE VESTED (LOT 60) IS LESS THAN 20 METRES WIDE AT

ANY POINT ALONG THE BOUNDARIES OF LOTS 7, 8 AND 12, CONDITION 2(g)(i) SHALL ALSO APPLY TO THESE LOTS TO THE EXTENT THAT A TOTAL BUFFER WIDTH OF 20 METRES (RESERVE PLUS COVENANTED AREA) IS ACHIEVED. THE COST OF PREPARING, CHECKING AND EXECUTING THE NOTICE SHALL BE MET BY THE APPLICANT:

- (i) A TWENTY METRE BUFFER STRIP SHALL BE SET ASIDE ALONG THE BOUNDARY OF MEAN HIGH WATER SPRINGS, WITHIN WHICH NO LAND CLEARANCE SHALL OCCUR (WITH THE EXCEPTION OF WEED SPECIES) AND NO PLANTING OF EXOTIC SPECIES SHALL OCCUR. THIS BUFFER AREA SHALL BE MANAGED SO AS TO PROTECT AND ENHANCE WATER QUALITY IN THE ORUAITI RIVER AND THE ECOLOGICAL VALUES AND NATURAL CHARACTER OF THE COASTAL MARGIN.
 - (ii) THE ARCHAEOLOGICAL ASSESSMENT BY DAVID NEVIN SUBMITTED WITH THE APPLICATION, DATED MARCH 1998 IDENTIFIES ARCHAEOLOGICAL SITES ON LOTS 13, 24 AND 25. RECOMMENDATIONS IN THE REPORT SHALL BE ADHERED TO BY LANDOWNERS.
 - (h) THE APPLICANT SHALL MAKE AVAILABLE TO NORTHWATCH, AS OFFERED, A SUM OF \$20,000 TOWARDS THE COST OF PURCHASING INDIGENOUS TREES AND PLANTING THEM WITHIN THE BUFFER STRIP.
3. FURTHER THE COUNCIL RESOLVES PURSUANT TO SECTION 321(3)(c) OF THE LOCAL GOVERNMENT ACT 1974 THAT ADEQUATE ACCESS IS PROVIDED TO LOTS 5-9, 12-15, 23, 24, 38-42 AND 54 VIA JOINTLY OWNED ACCESS LOTS, AND COUNCIL RESOLVES ON THAT GROUND THAT SECTION 321(1) OF THE ACT SHALL NOT APPLY.

Reasons for the Decision:

- 1. THE IMPOSED CONDITIONS WILL ENSURE COMPLIANCE WITH THE RELEVANT DISTRICT PLAN RULES AND WILL ADEQUATELY MITIGATE THE EXPECTED ENVIRONMENTAL EFFECTS TO A MINOR IMPACT LEVEL.
- 2. PRACTICAL CONCERNS RAISED BY SUBMITTERS REGARDING ROADING, PUBLIC ACCESS, SPRAYING AND OTHER MATTERS CAN BE ADDRESSED BY CONDITIONS OF CONSENT.
- 3. THE PROPOSAL IS NOT CONTRARY TO THE OBJECTIVES AND POLICIES OF EITHER THE TRANSITIONAL OR PROPOSED PLAN.
- 4. THE PROPOSAL WILL HAVE NO MORE THAN MINOR ADVERSE EFFECTS ON THE ENVIRONMENT, AND WILL ENHANCE ECOLOGICAL AND LANDSCAPE VALUES.
- 5. IN CONSIDERING THE APPLICATION, GREATER WEIGHT WAS ACCORDED TO THE TRANSITIONAL PLAN PROVISIONS GIVEN THE CURRENT STATUS OF THE PROPOSED PLAN

STATUTORY INFORMATION

THE FOLLOWING MATTERS ARE NOTED AS BEING RELEVANT TO THE LAND, AND POSSIBLY REQUIRING ADDITIONAL ACTION FOR STATUTORY CODE COMPLIANCE. THE APPLICANT AND ANY PROSPECTIVE PURCHASERS SHOULD BE AWARE OF THESE MATTERS, AND HENCE THE INFORMATION WILL BE PLACED ON THE PROPERTY FILE AND WILL BE CITED IN ANY RELATED PROJECT OR LAND INFORMATION MEMORANDUM THAT MAY BE ISSUED.

1. THE APPLICANT AND SUBSEQUENT LANDOWNERS SHOULD NOTIFY THE NEW ZEALAND HISTORIC PLACES TRUST PRIOR TO COMMENCING ANY WORK INVOLVING GROUND DISTURBANCE OR TREE PLANTING ON OR WITHIN 10 METRES OF THE ARCHAEOLOGICAL SITES IDENTIFIED ON THE PROPERTY IN THE REPORT BY D. NEVIN.
2. IT IS NOTED THAT RESOURCE CONSENTS MAY BE REQUIRED FROM NORTHLAND REGIONAL COUNCIL FOR LAND DISTURBANCE AND STREAM CROSSINGS ASSOCIATED WITH STAGE 2 OF THE SUBDIVISION.

Advice Clause:

That pursuant to Section 36(3) of the Resource Management Act 1991 the applicant shall pay to Council all additional costs associated with processing the application, being \$3,588.05 within 30 days of receipt of this decision.

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING:

The subdivision of
Lot 2 DP 142986
and Allotments NE11, SW11,
12 and Part 15
Parish of Mangonui East
Blks VI and X Mangonui SD
North Auckland Registry

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

SCHEDULE 1

- (1) The olive grove management plan [produced in accordance with condition 2(f)] is to be adhered to by the person responsible for the olive grove management on each new title (as arranged between the allotment owner and the grove management company). A copy of the olive grove management plan shall be given to the purchaser of each new allotment by the consent holder and passed on with any subsequent transfer of the land.

SCHEDULE 2

- (1) Condition (1) in Schedule (1) refers to Lots 1 - 4, 18 - 22, 28 - 48 and 50 DP 205071, being contained in Certificates of Title 133B/631 - 133B/661.

SIGNED:

P. J. Killeen
RESOURCE CONSENTS MANAGER for the Far North District Council

DATE:

14th May 2001

SIGNED by

M. Bolton

in the presence of:

Jenny Taylor
Name

Office clerk
Occupation

as registered proprietor(s)

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING:

The subdivision of
Lot 2 DP 142986
and Allotments NE11, SW11,
12 and Part 15
Parish of Mangonui East
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SCHEDULE 1

- (1) A twenty metre buffer strip shall be set aside along the boundary of mean high water springs, within which no land clearance shall occur (with the exception of weed species) and no planting of exotic species shall occur. This buffer area shall be managed so as to protect and enhance water quality in the Oruaiti River and the ecological values and natural character of the coastal margin.

- (2) The archaeological assessment by David Nevin submitted with the application, dated March 1998 and attached, identifies archaeological sites on Lots 40, 41 and 50. Recommendations in the report shall be adhered to by the landowners.

SCHEDULE 2

- (1) Condition (1) in Schedule (1) refers to Lots 40, 41 and 50 DP 205071, being contained in Certificates of Title 133B/652, 133B/653 and 133B/661.

SIGNED:

P. J. Killalea
RESOURCE CONSENTS MANAGER for the Far North District Council

DATE:

14th May 2001

SIGNED by

M Bell

as registered proprietor(s)

in the presence of:

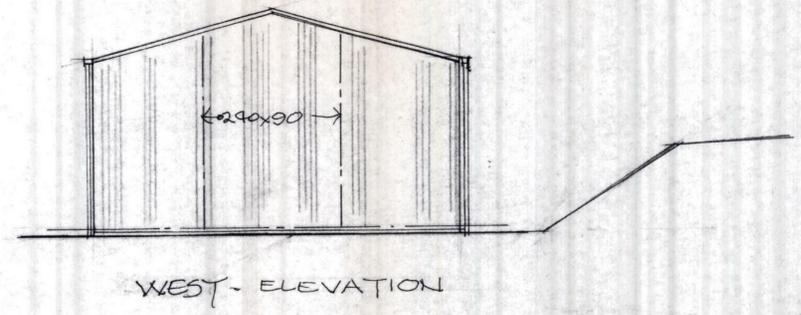
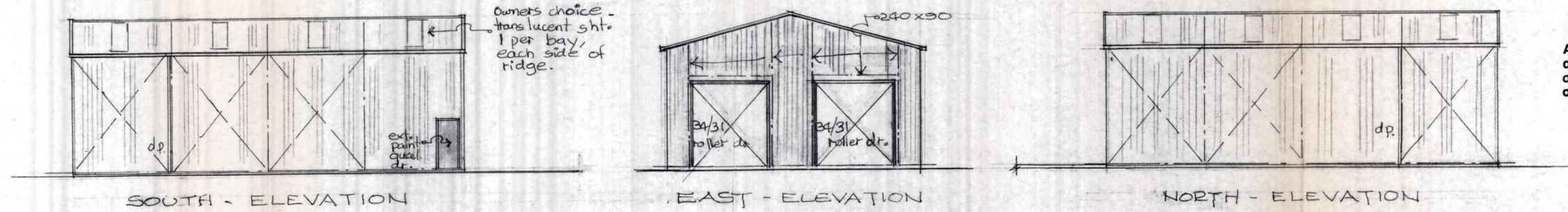
Jenny Taylor
Name

Office Clerk
Occupation

Boat Shed Building Consent

These plans and specifications must be kept 'on site' during construction. All boundary pegs must be located and flagged before work is commenced.

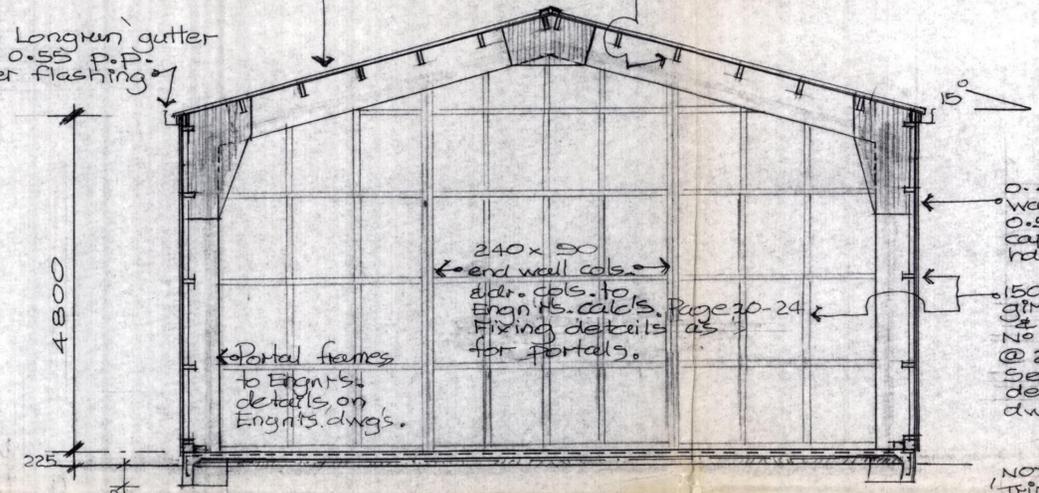
All stormwater from roof, driveways & watertank overflow to be disposed of to Council requirements



0.40 G2Z 'Trimline' roof sheathings, on Bitumac 260 0.55 p.p. std. ridge & barge caps.

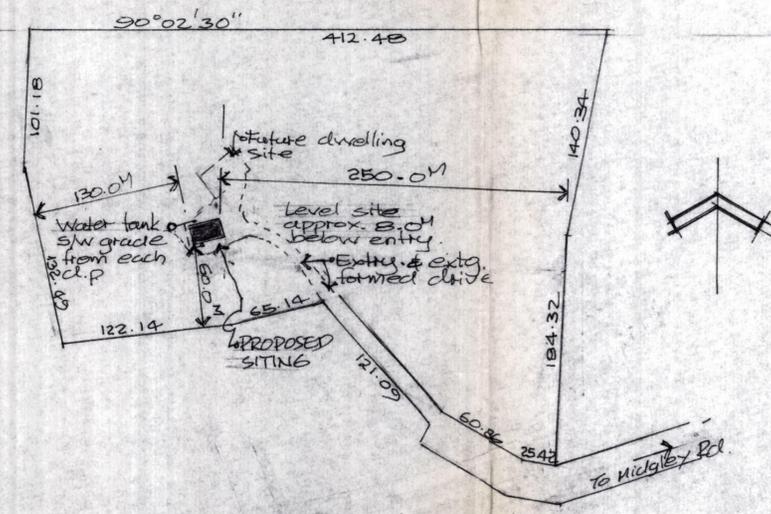
150x50 No 1 Ft. H1 purlins @ 900 c.c. See fixing details on Engr's. dwg.

125 Longrun gutter on 0.55 p.p. over flashing

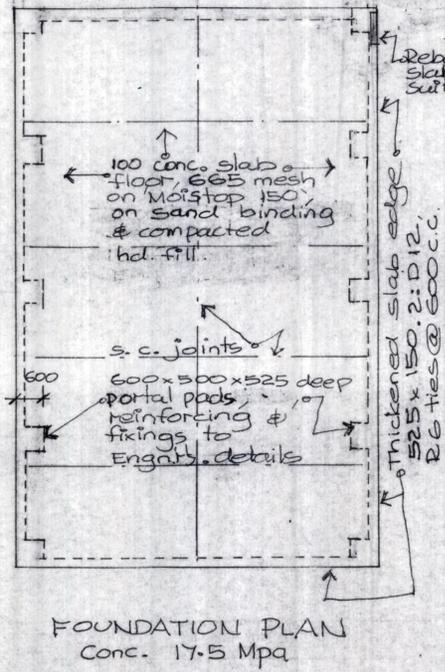
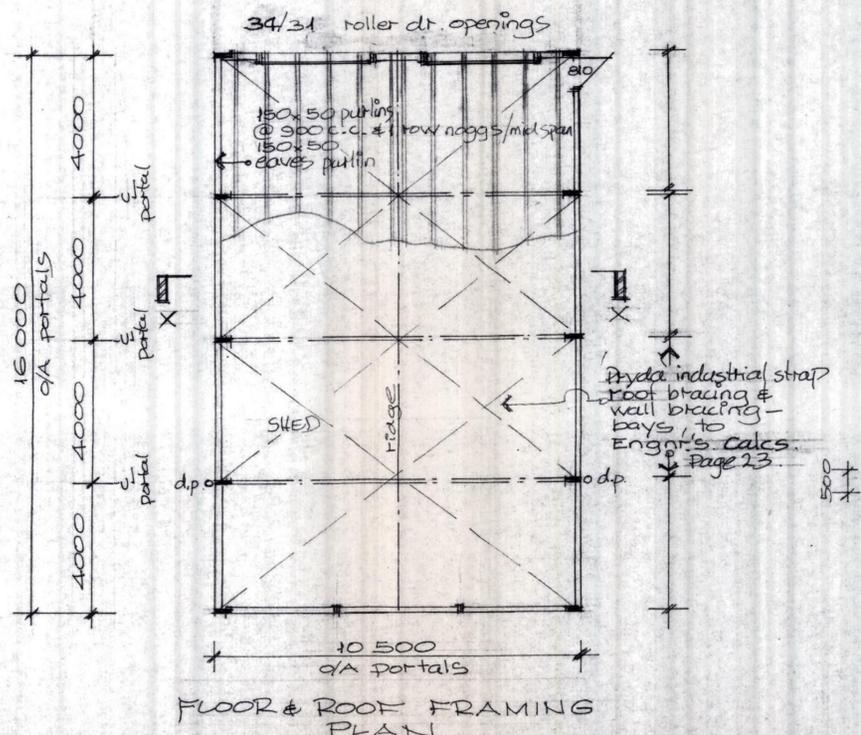


0.40 G2Z Trimline wall sheathings, 0.55 p.p. cnt. cappings & hd. flashings.
150x50 No 1 Ft. H1 girts @ 900 c.c. max. & 100x50 No 1 Ft. H1 vert. nags @ 2000 c.c. max. See fixing details on Engr's dwgs.

NOTE: Trimline fixed in accordance with the manufacturers specification.



SITE PLAN 1:2500
Site area : 9.3807 Ha.



For North District Council NOTIFIABLE INSPECTIONS	
Site Inspection	
Fixing Foundation	
Slab	
Beam/beam	
Support	
Finishing	
Exposed Rafter Strapping	
Pre-line	
Sheet Bracing	
Other (specify)	
Final Inspection	

APPROVED FOR 2004/2303
Date 10/6/04
Signed [Signature]
FARNORTH DISTRICT COUNCIL



John S. Kimber AD.N.Z. Inc. ARCHITECTURAL DESIGNERS

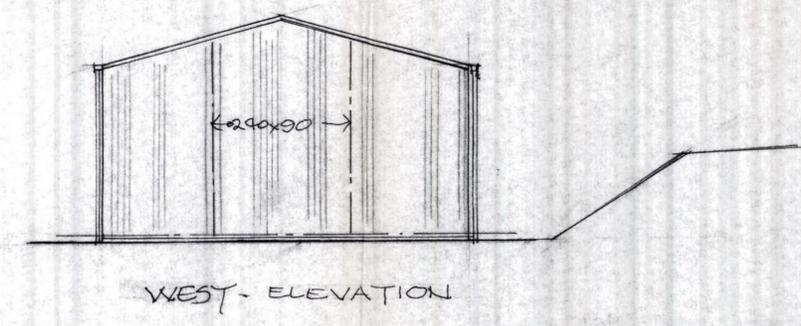
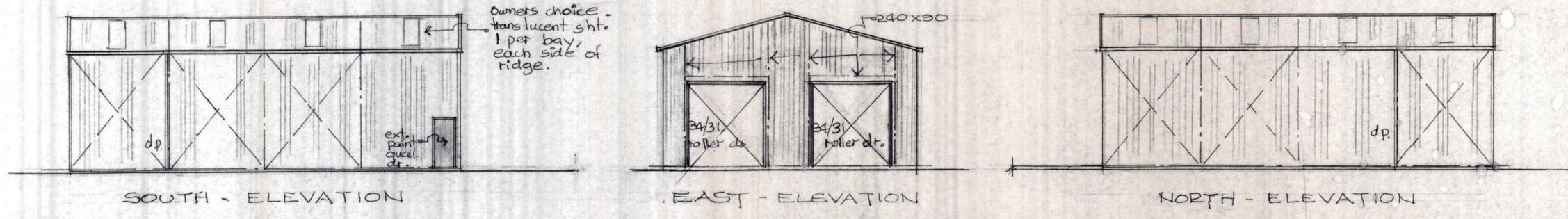
P.O. BOX 54 MANGONUI TEL/FAX 09 406 1356

M.G. CAMPBELL
Midgley Road,
Lot 4 D.P.
Mangonui.

SCALES: 1:100 1:2500
DRAWN: J.S.K. No. 2407
DATE: Ap. 04

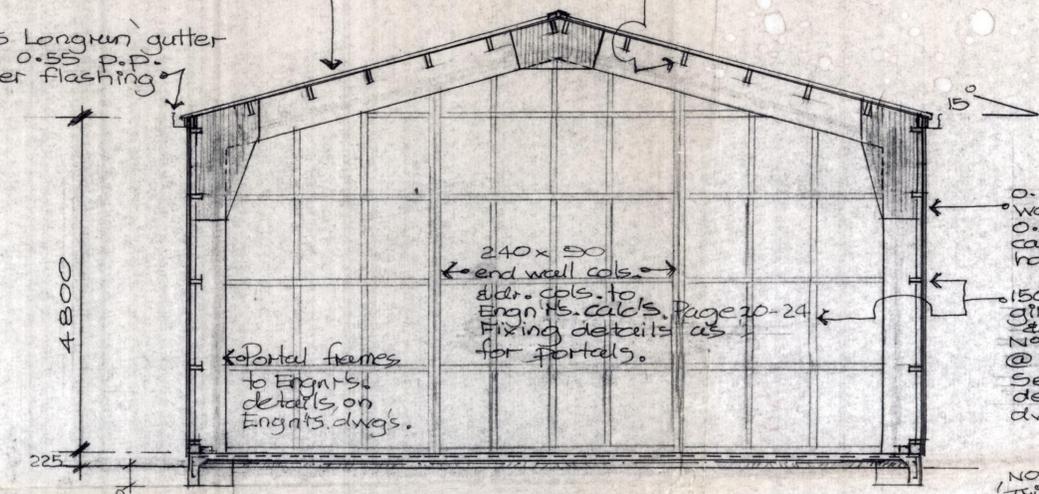
These plans and specifications must be kept 'on site' during construction. All boundary pegs must be located and flagged before work is commenced.

All stormwater from roof, driveways & waterways overflow to be disposed of to Council requirements



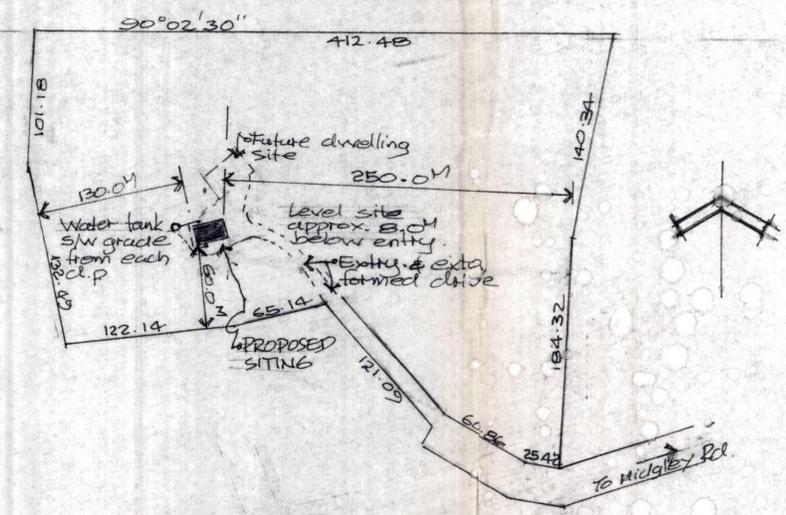
0.40 G2Z 'Trimline' roof sheathings on Bitumac 260
0.55 p.p. std. ridge & barge caps.
150x50 No 1 F.F. H1 purlins @ 900 c.c. See fixing details on Engnt's. dwg.

125 Longrun gutter on 0.55 p.p. over flashing



0.40 G2Z 'Trimline' wall sheathings. 0.55 p.p. crn. cappings & rd. flashings.
150x50 No 1 F.F. H1 girts @ 900 c.c. max. & 100x50 No 1 F.F. H1 vert. nags @ 2000 c.c. max. See fixing details on Engnt's. dwgs.

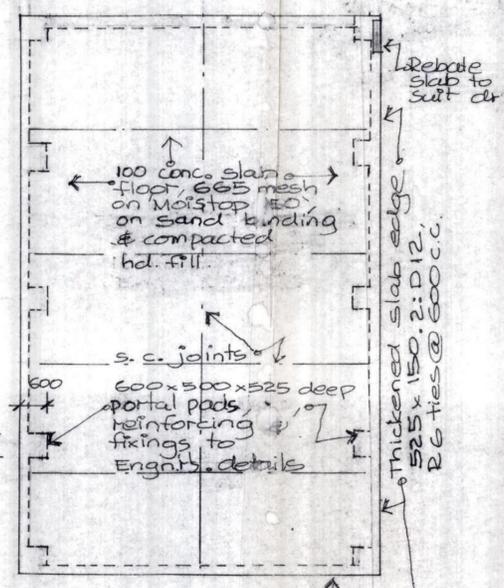
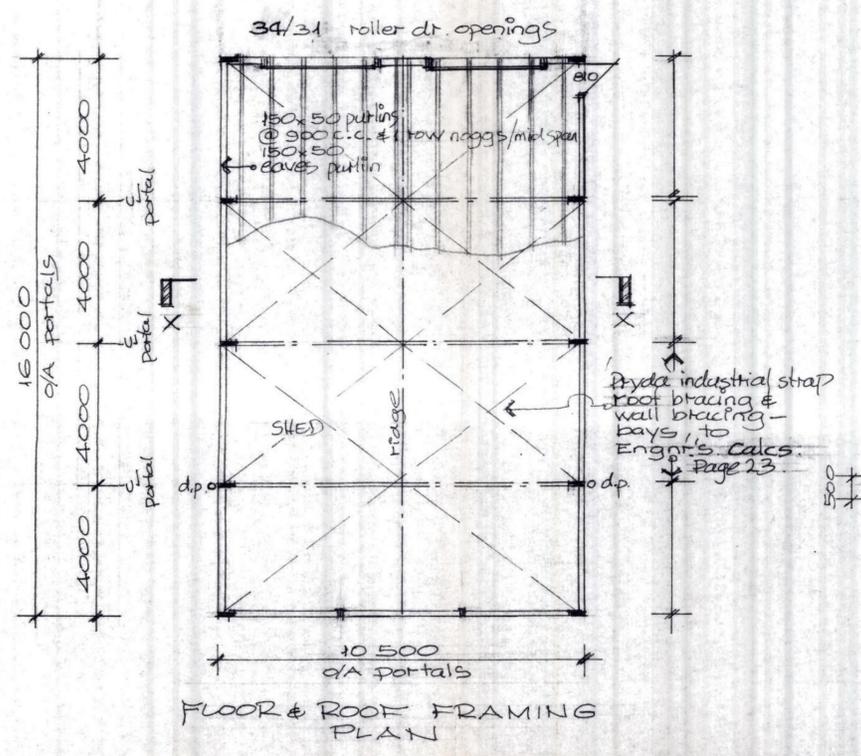
NOTES
'Trimline' fixed in accordance with the manufacturers specification.



SITE PLAN
1:2500
Site area : 9.3807 Ha.

Far North District Council NOTIFIABLE INSPECTIONS	
Site inspection	
Footings/Foundation	
Slab	
Bond beam	
Sub-floor	
Framing	
Exposed Rafter Strapping	
Pre-line	
Sheet Bracing	
Other (specify)	
Final inspection	

APPROVED PIM/BC20042305
Date: 14/1/04
Signed: J.S.K.
FARNORTH DISTRICT COUNCIL



FOUNDATION PLAN
Conc. 17.5 Mpa



John S. Kimber A.D.N.Z. INC.
ARCHITECTURAL DESIGNERS

P.O. BOX 54
MANGONUI
TEL/FAX 09 406 1356

M.G. CAMPBELL
Midgley Road,
Lot 4 D.P.
Mangonui.

SCALES:
1:100
1:50 1:2500
DRAWN: J.S.K.
DATE: Ap. 04
FARM UTILITY SHED
No. 2407

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Rev.	Date	Amendment

General Notes

1. Do not scale off drawings.
2. The Contractor shall verify and be responsible for all dimensions on site.
3. This is a category 4 building as per table 1.1 NZS 3604 and all construction is to be in accordance with that NZ Standard.
4. Timber grade to be #1 framing (certified as per NZS 4490:1997) with the following treatment standards as applicable:
 H1 for interior timber that remains dry
 H3 for timber that can become wet or exposed to the weather
 H4 for timber in contact with concrete and without a separating waterproof membrane.
 H5 for timber buried in the ground.
5. All fittings and fastenings to be of durable material or finish as appropriate for building location and exposure ref: Section 4 of NZS 3604.
5. The Contractor should notify ITM and Pryda of any omissions or errors found on these drawings and seek clarification should there be any ambiguity or missing information.

Project Name:
**Proposed Portal Building
 Mangonui ITM
 for MG Campbell**

**Portal Frame
 Cross Section & Details**

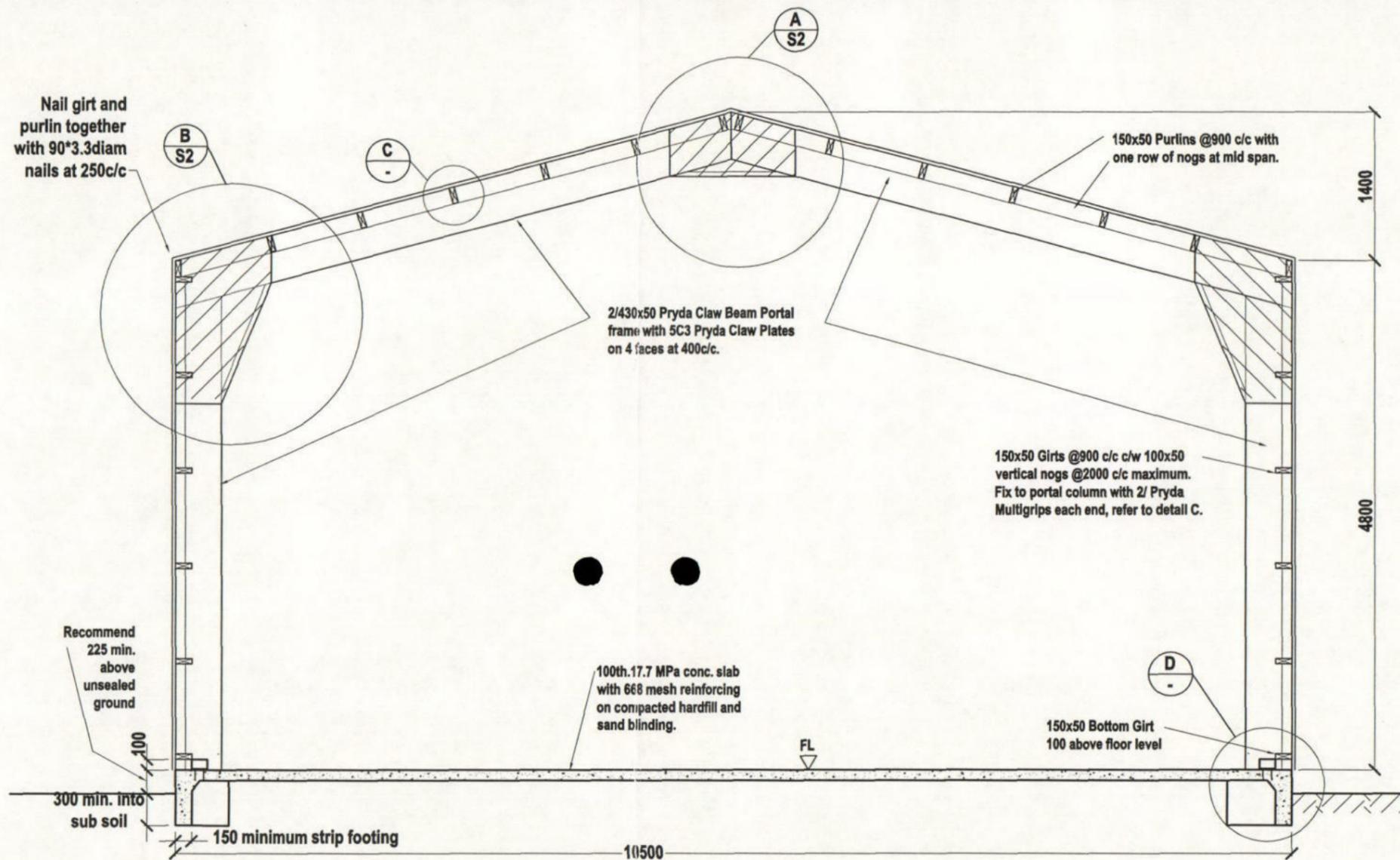
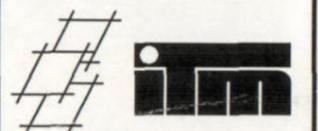
Designed: T.S.	Date: April 2004
Drawn: A3 Scale 1:50, 1:20	Checked: A.V. A4 Scale N.T.S.
Project Number: 11827	Drawing Number: S1

Consultants

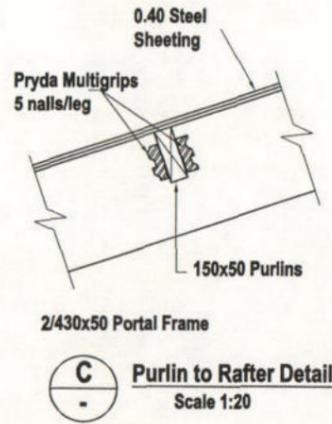
pryda

Unit 1/18 Croftfield Lane
 Glenfield, Auckland
 PO Box 101-517 NSMC
 Tel.: (09) 444 4122
 Fax: (09) 444 0199

SENCO



Cross Section
 Scale 1:50



Nail girt and purlin together with 90*3.3diam nails at 250c/c

2/430x50 Pryda Claw Beam Portal frame with 5C3 Pryda Claw Plates on 4 faces at 400c/c.

150x50 Girts @900 c/c w/ 100x50 vertical nogs @2000 c/c maximum. Fix to portal column with 2/ Pryda Multigrips each end, refer to detail C.

Recommend 225 min. above unsealed ground

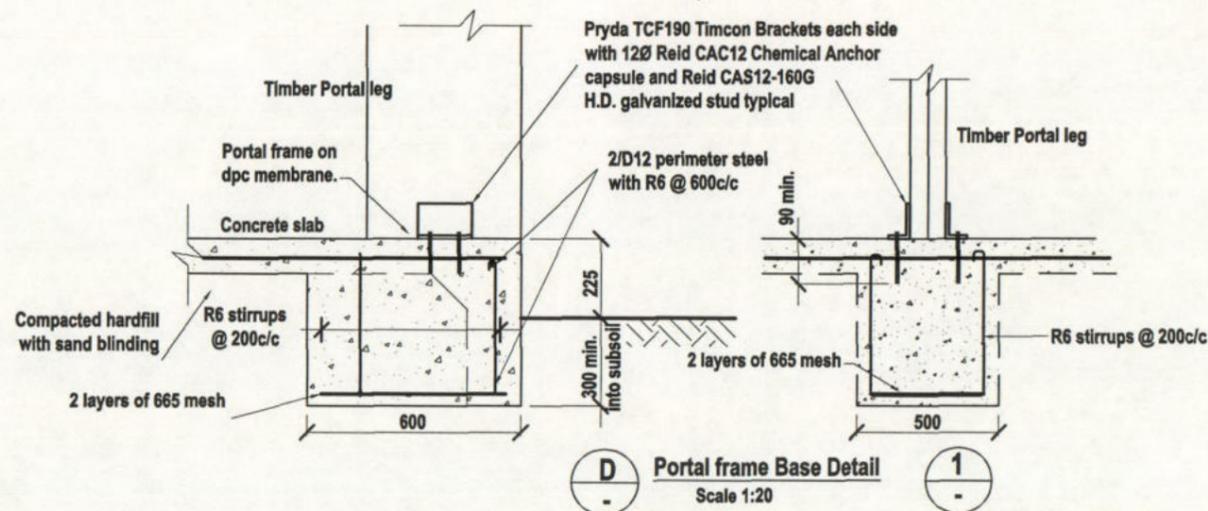
100th.17.7 MPa conc. slab with 668 mesh reinforcing on compacted hardfill and sand blinding.

150x50 Bottom Girt 100 above floor level

300 min. into sub soil

150 minimum strip footing

10500



D Portal frame Base Detail
 Scale 1:20

Timber Portal Frame Rural Building
 10.5m span x 4m bay x 4.8 eaves height, for Northland wind region.

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Rev.	Date	Amendment

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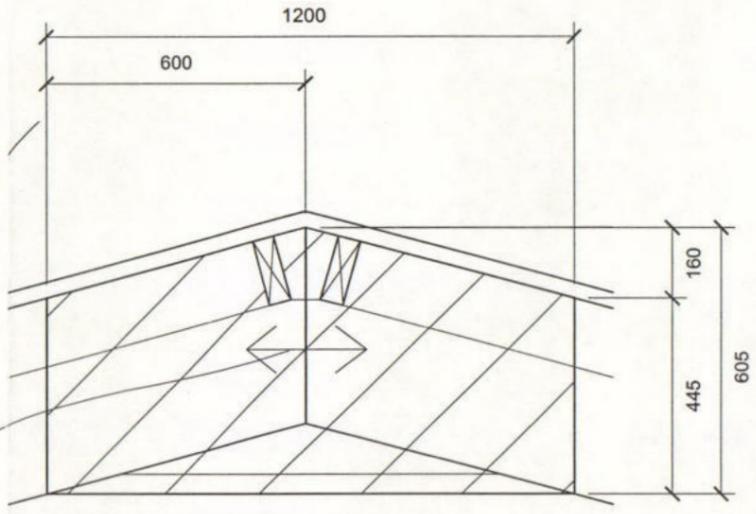
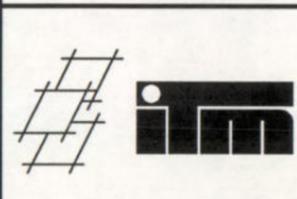
Project Name:
**Proposed Portal Building
 Mangonui ITM
 for MG Campbell**

**Portal Frame
 Portal Apex & Knee Plate Detail**

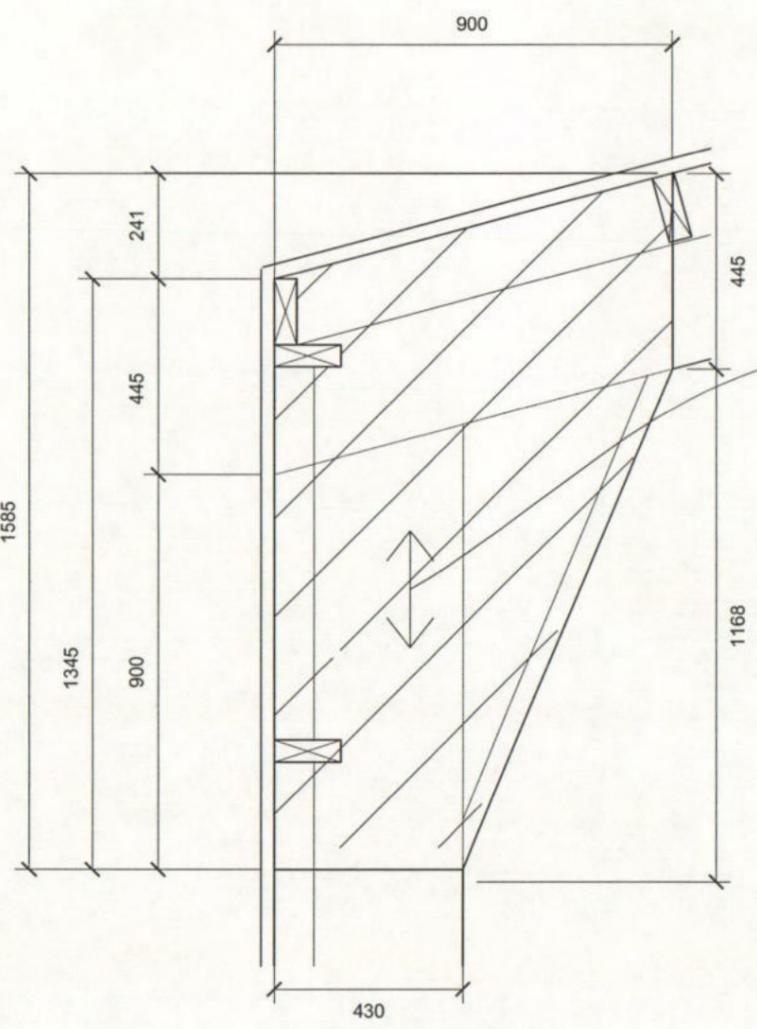
Designed: T.S.	Date: April 2004
Drawn: NTS	Checked: NTS
A3 Scale	A4 Scale
NTS	NTS
Project Number: 11827	Drawing Number: S2
	Revision:

Consultants
pryda
 Unit 1/18 Croftfield Lane
 Glenfield, Auckland
 PO Box 101-517 NSMC
 Tel.: (09) 444 4122
 Fax: (09) 444 0199

SENCO

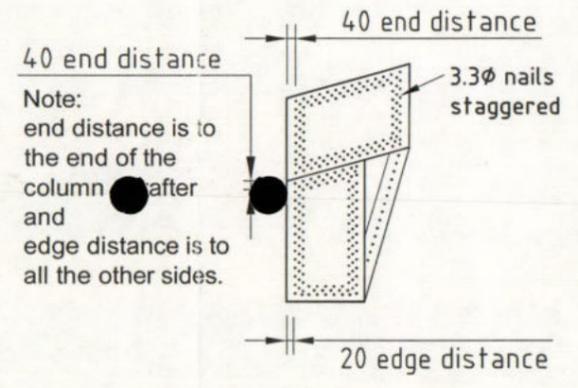


S1 APEX PLATE DETAIL
 Use 17mm thick structural plywood

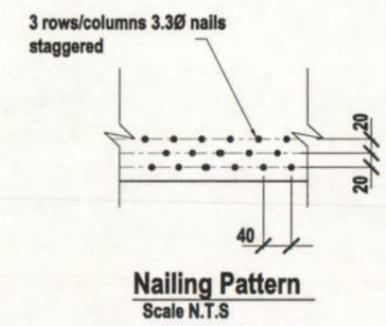


B S1 KNEE PLATE DETAIL
 Use 17mm thick structural plywood

Face grain direction



Note:
 end distance is to the end of the column or rafter and edge distance is to all the other sides.



Note:
 40 end distance is to the end of the column or rafter
 20 edge distance is to all the other sides

**Timber Portal Frame Rural Building
 10.5m span x 4m bay x 4.8 eaves
 height, for Northland wind region.**

4/6/2004 4:59 p.m.

Page 2 of 2

Rev.	Date	Amendment

- General Notes**
1. Do not scale off drawings.
 2. The Contractor shall verify and be responsible for all dimensions on site.
 3. This is a category 4 building as per table 1.1 NZS 3604 and all construction is to be in accordance with that NZ Standard.
 4. Timber grade to be #1 framing (certified as per NZS 4490:1997) with the following treatment standards as applicable:
H1 for interior timber that remains dry
H3 for timber that can become wet or exposed to the weather
H4 for timber in contact with concrete and without a separating waterproof membrane.
H5 for timber buried in the ground.
 5. All fittings and fastenings to be of durable material or finish as appropriate for building location and exposure ref: Section 4 of NZS 3604.
 5. The Contractor should notify ITM and Pryda of any omissions or errors found on these drawings and seek clarification should there be any ambiguity or missing information.

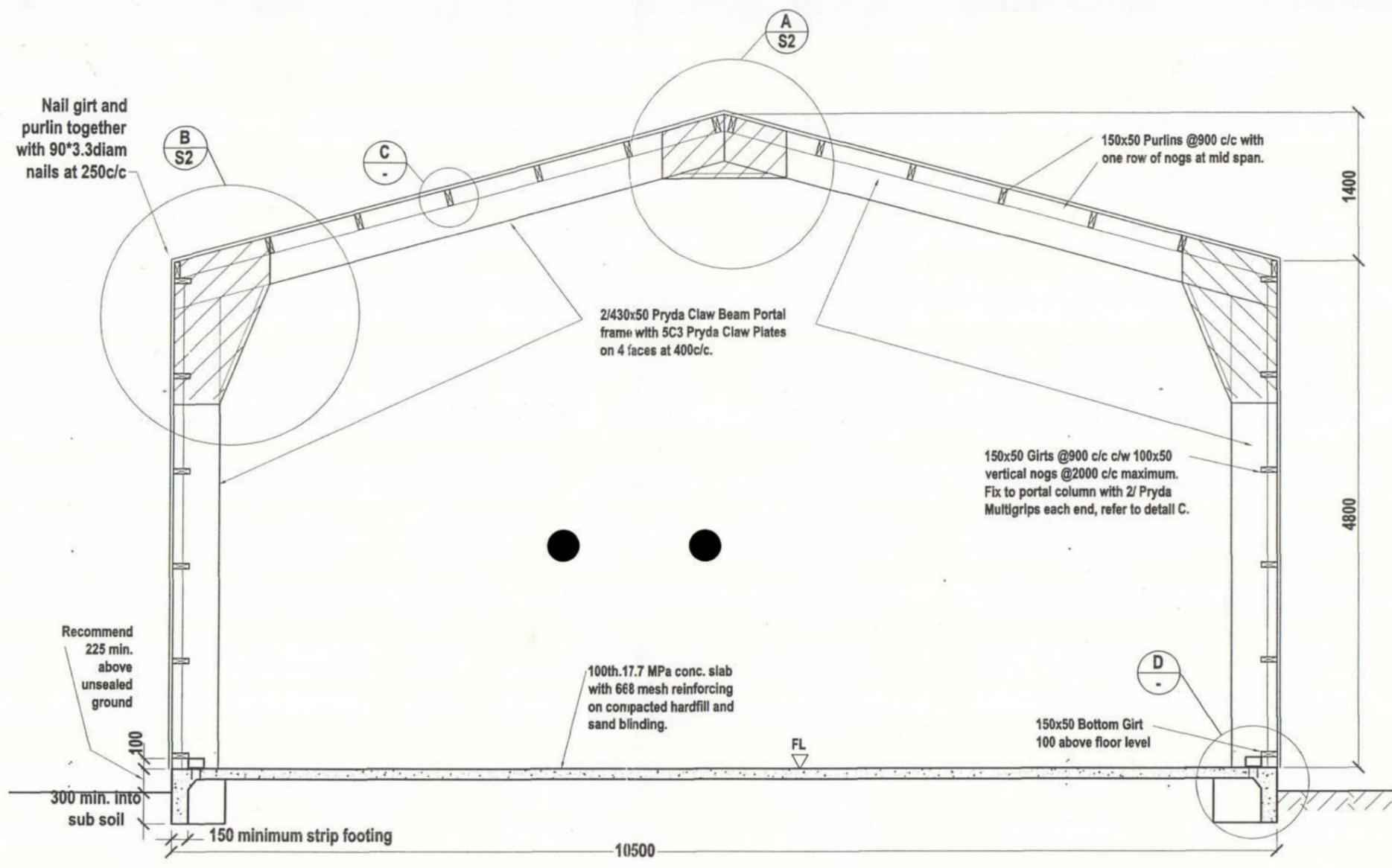
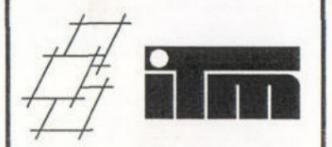
Project Name:
**Proposed Portal Building
Mangonui ITM
for MG Campbell**

**Portal Frame
Cross Section & Details**

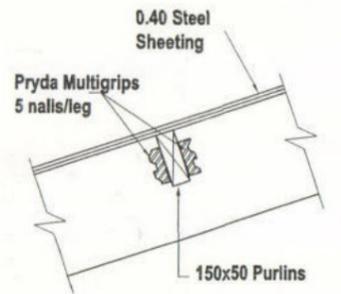
Designed: T.S.	Date: April 2004
Drawn: A3 Scale 1:50, 1:20	Checked: A.V. A4 Scale N.T.S.
Project Number: 11827	Drawing Number: S1

Consultants
pryda
Unit 1/18 Croftfield Lane
Glenfield, Auckland
PO Box 101-517 NSMC
Tel.: (09) 444 4122
Fax: (09) 444 0199

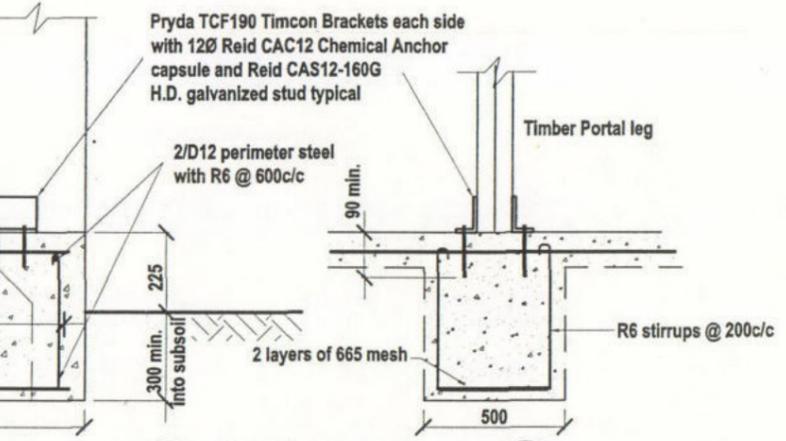
SENCO



Cross Section
Scale 1:50



C Purlin to Rafter Detail
Scale 1:20



D Portal frame Base Detail
Scale 1:20

Timber Portal Frame Rural Building
10.5m span x 4m bay x 4.8 eaves height, for Northland wind region.

4/6/2004 4:59 p.m.

Page 1 of 2

Copyright
 This drawing remains the property
 of ITM/ Pryda and should not be
 copied in any form or passed on to a
 third party without written consent

Rev.	Date	Amendment

General Notes

1. Do not scale off drawings.
2. The Contractor shall verify and be responsible for all dimensions on site.
3. This is a category 4 building as per table 1.1 NZS 3604 and all construction is to be in accordance with that NZ Standard.
4. Timber grade to be #1 framing (certified as per NZS 4490:1997) with the following treatment standards as applicable:
 H1 for interior timber that remains dry
 H3 for timber that can become wet or exposed to the weather
 H4 for timber in contact with concrete and without a separating waterproof membrane.
 H5 for timber buried in the ground.
5. All fittings and fastenings to be of durable material or finish as appropriate for building location and exposure ref: Section 4 of NZS 3604.
5. The Contractor should notify ITM and Pryda of any omissions or errors found on these drawings and seek clarification should there be any ambiguity or missing information.

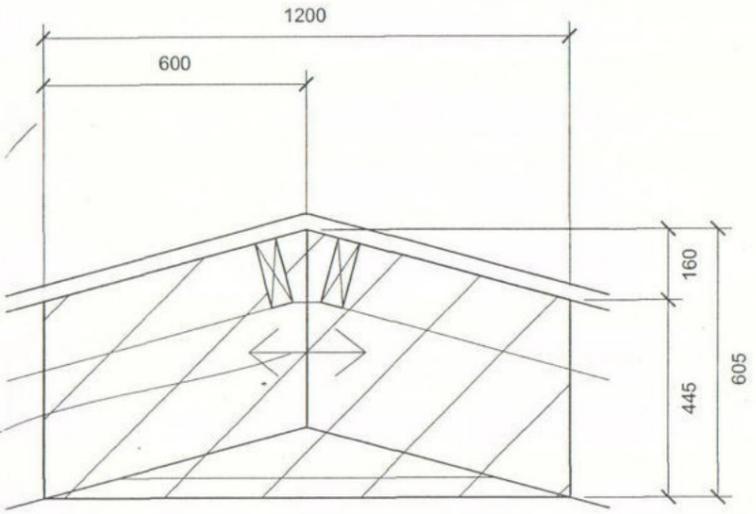
Project Name:
**Proposed Portal Building
 Mangonui ITM
 for MG Campbell**

**Portal Frame
 Portal Apex & Knee Plate Detail**

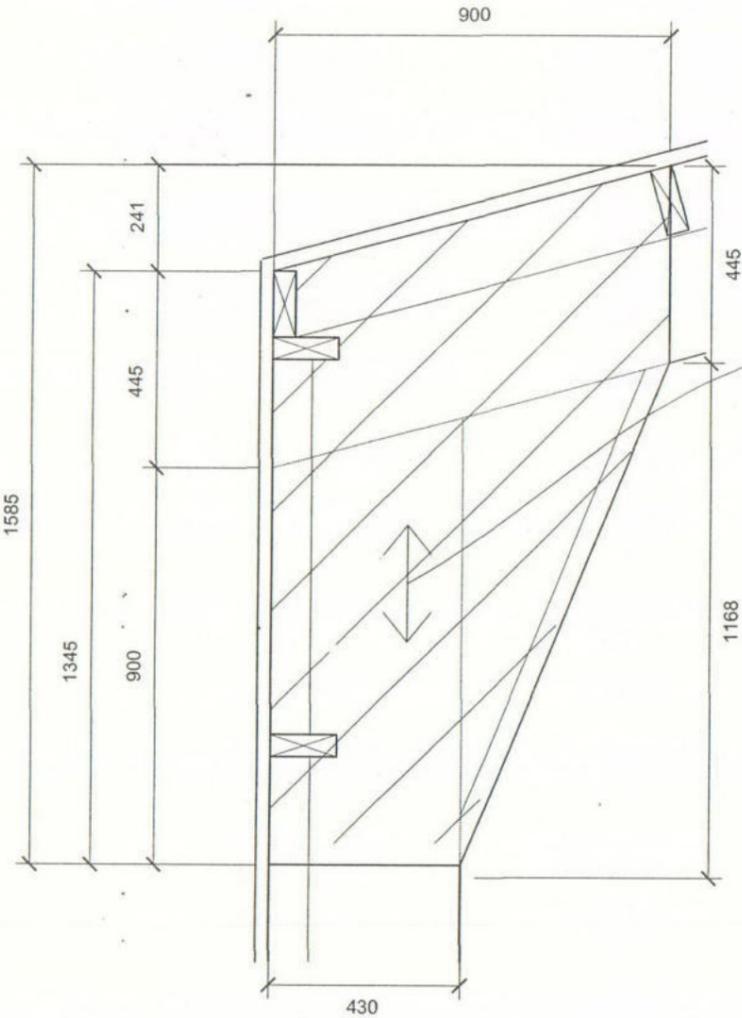
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Drawn:	Checked:
A3 Scale NTS	A4 Scale NTS
Project Number: 11827	Drawing Number: S2

Consultants
pryda
 Unit 1/18 Croftfield Lane
 Glenfield, Auckland
 PO Box 101-517 NSMC
 Tel.: (09) 444 4122
 Fax: (09) 444 0199

SENCO

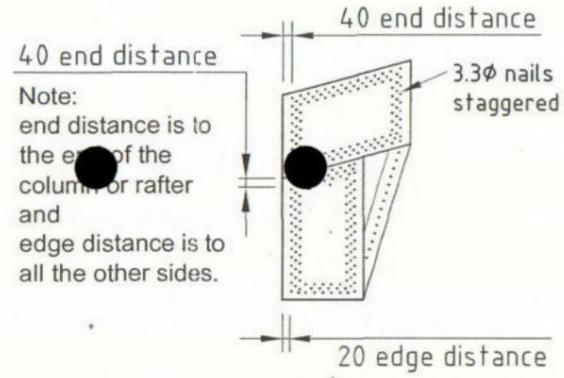


A
S1
APEX PLATE DETAIL
 Use 17mm thick structural plywood

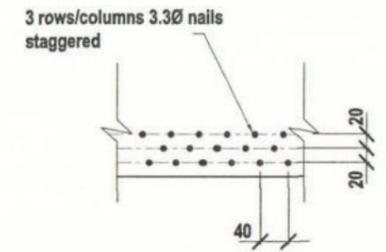


B
S1
KNEE PLATE DETAIL
 Use 17mm thick structural plywood

Face grain direction



40 end distance
 Note:
 end distance is to the end of the column or rafter and edge distance is to all the other sides.



NAILING PATTERN
 Scale N.T.S.

Note:
 40 end distance is to the end of the column or rafter
 20 edge distance is to all the other sides

Timber Portal Frame Rural Building
 10.5m span x 4m bay x 4.8 eaves height, for Northland wind region.

4/6/2004 4:59 p.m.

Variation Section 348
August 2001

FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN [MANGONUI SECTION] **AND** **PROPOSED FAR NORTH DISTRICT PLAN**

IN THE MATTER OF The Local
Government Act 1974

AND

IN THE MATTER OF
an application
under the aforesaid
Act by

Ocean View Olives Limited

FILE NUMBER RC 2020118

APPLICATION

Application to create a right-of-way over an existing pan-handle access.

The property in respect of which the application is made is situated at Leccino Valley Road, Oruaiti, and is legally described as Lot 50 DP 205071.

DECISION

That the Far North District Council approve pursuant to Section 348 of the Local Government Act 1974, the right-of-way shown on Plan No 2020118, being granted over Lot 50 DP 205071 in favour of Lots 46 and 47 DP 205071 subject to the following condition:

- (1) That the right-of-way be formed and completed to meet Councils Rural Minor Access Standard, and that the entranceway onto Leccino Valley Road be formed and completed to Councils FNDC/S/06 Rural Access Standard.

Note: The survey plan will not be approved until such time as this work has been completed and inspected by Council.

DECISION PREPARED BY: Alister Hartstone, Section Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P. J. Kelleher *PJ* **MANAGER ENVIRONMENTAL SERVICES**

17th August 2001 **DATE**

RC 2020118

P\2PRW2020118.DOC



FAR NORTH
DISTRICT COUNCIL

Private Bag 752, Memorial Ave, KAIKOHE
Freephone: 0800 920 029, Ph: (09) 405 2750, Fax: (09) 401 2137

RC 2020118

Attn: Alister Hartstone

16 August 2001

Fraser Thomas Limited
P.O. Box 154
PAIHIA

Dear Sir/Madam

re: **RC 2020118 - APPLICATION BY OCEAN VIEW OLIVES LIMITED**

Please find enclosed Council's decision for the above application.

Yours faithfully

Support Officer
Environmental Services

cc:

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:

Decision Date: **16 August 2001**

Granted Date: *17/08/01*

Issued Date: *21/8/01*

Number : 2020118
Type : 348
Number : 85 - 68 - 01
Applicant : **Ocean View Olives Limited**
Start Date : *13 - 8 - 01*
Location : *Leccino Valley Road, Oruaiti*
Hearing Date :
Activity (TDP/PDP) : F30
Outcome : Approved (del)
N^o Lots :
Type of Lots :
Zone (TDP/PDP) : M10 / GRR
Area of Site :
Proposal : Approval for granting of right-of-way over an existing pan-handle access
Issues : Access needs to be upgraded
'Fast Track'

Property File	Sewerage (GKC)	Roading (GI)	Com Fac (SMH)	Finance (RS)	Transit	DoC	Projects (LMN)
<i>?</i>							
Monitoring (CAS)	Env Health (RRW)	Liq License (JEP)	Legal (YAS)	HPT	NRC	Building (HAH)	Other

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:

PJK
AJH

Decision Date: **16 August 2001**

Granted Date: *17/08/01*

Issued Date: *21/8/01*

RMA Number : 2020118
RFS Type : 348
Val Number : 85 - 68 - 01
Applicant : **Ocean View Olives Limited**
Start Date : *13 - 8 - 01*
Location : *Leccino Valley Road, Oruaiti*
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Activity (TDP/PDP) : F30
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N^o Lots :
Type of Lots :
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?							
Monitoring (CAS)	Env Health (RRW)	Liq License (JEP)	Legal (YAS)	HPT	NRC	Building (HAH)	Other

Variation February 2001

ITEM :
TO : HEARINGS COMMITTEE
FROM : ENVIRONMENTAL SERVICES MANAGER
ISSUE : RC 1980846/3 OCEAN VIEW OLIVES LTD

An application to change conditions of consent under the Resource Management Act 1991, the principal effect of which would be to amend the consent in a number of minor, technical ways and to permit an "early release" of 10 titles (*de facto* Stage 1) by changes to certain specified conditions.

RECOMMENDATION:

THAT PURSUANT TO SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991, COUNCIL GRANTS ITS CONSENT TO THE CHANGE OF CERTAIN CONDITIONS OF SUBDIVISION CONSENT TO THE ORIGINAL APPLICATION BY OCEAN VIEW OLIVES LTD (PREVIOUSLY STARGATE HOLDINGS LTD), BEING RC 1980846, TO CREATE 47 NEW RURAL ALLOTMENTS FROM 5 EXISTING RURAL TITLES, FIRST GRANTED SUBDIVISION CONSENT IN JULY 1998, AND FIRST AMENDED ON 3 APRIL 2000.

THE PRINCIPAL CHANGES INVOLVE MAINLY TECHNICAL MATTERS SUCH AS THE AMENDMENT OF EASEMENTS, FOUR LOTS ADDED TO STAGE 1, CHANGES TO THE WESTERN ESTUARINE BOUNDARY (MHWS DID NOT MATCH WITH THE CADASTRAL RECORD) AND TO THE EASEMENTS PROVIDING ACCESS FROM SIMMENTHAL LANE. THERE IS ALSO A SET OF CHANGES (MAINLY NEW AMALGAMATIONS) TO PERMIT THE "EARLY RELEASE" OF THE TEN TITLES DESIGNATED AS A *DE FACTO* STAGE 1.

BECAUSE OF THE DIFFICULTY INVOLVED WITH DESCRIBING THE NATURE OF THESE CHANGES BY ANNOTATED WRITTEN DESCRIPTIONS ONLY; AND TO FACILITATE FUTURE ADMINISTRATION OF THE CONSENT, COUNCIL HAS DETERMINED TO PRESENT THE CONSENT CHANGES BY WAY OF RE-PRESENTING THE FULL (TEXT ONLY) TWO STAGE DECISION WITH THE CHANGES THERETO (INCLUDING THOSE MADE ON 3 APRIL 2000) INCORPORATED THEREIN, AS FOLLOWS:

AMENDED DECISION WITH CHANGES INCORPORATED (AS AT 26 FEBRUARY 2001)

THAT pursuant to Section 105(1)(b), 108 and 220 of the Resource Management Act 1991, Council grants consent to Ocean View Olives Ltd to subdivide a property at Midgeley Road, Oruaiti, being more particularly described as Lot 2 DP 142986 and Allotments NE11, SW11, 12, NW13, SE13 and 15 Parish of Mangonui East, Blks VI and X Mangonui SD (CsT 509/252, 87A/287, 84D/154 and 5D/1480) (North Auckland Registry).

The consent, to create 47 rural allotments for horticultural (olives) and silvicultural purposes, is granted in two stages --- with Stage I comprising Lots 1 - 4, 18 - 22, 28 - 48 and 50, and; Stage II comprising Lots 5 - 17 and 23 - 25; and subject to the following conditions:

- (a) Provide a detailed stormwater management plan designed by a registered engineer for the management of runoff from the proposed roads and accessways, for the approval of Council.
- (b) Provide and complete the formation, surfacing and drainage of site access, from a line adjoining the southern boundary of Lot 1 DP 152543 (the proposed end of the Midgeley Road sealing) to all the Stage 1 allotments as follows:
- (i) The specified standards are to be as set out in Chapter 6 of the District Council's "Engineering Standards and Guidelines" [April 1998] and shown on drawing "FNDC/S/07" therein;
- [Provided that the portion of Road No.2 which is highlighted on the attached "Plan of the Extent of Sealed Road", dated 27 March 2000, is to be permanently surfaced (sealed) in accordance with the standards, but the balance may have a graveled surface].
- NOTE: The sealed area indicated on the "extent of seal" plan is an area adjacent to Midgeley Road which is likely to exceed a 1 in 12 gradient. The area further east which was indicated to also exceed 1 in 12 was deemed not appropriate to seal. These areas have been ascertained by reference to a preliminary assessment only, and Council reserves the right to review (if necessary) this sealed area at the time that the engineering plans (which indicate gradients) are lodged.*
- NOTE: The portion of Midgeley Road within the subdivision is to be sealed, as part of Stage 1, from the property entrance as far as the southern side of the intersection with Road No. 2."*
- (ii) The formation of Midgeley Road and "Road No 2" is to be to the "Type B" rural road cross section standard. [*NOTE: "Luccino Valley Road has been suggested as a name for Road No 2*];
- (iii) The formation of JOAW Lots 55 and 56 is to be to the "Type A" rural road cross section standard [Lot 56 may have a carriageway width of 3.5m]:
- (iv) The works shall be in accordance with the approved stormwater management plan as specified above:
- (v) Approval by the Council of engineering drawings for the proposed roadworks is a requirement for compliance with this condition; and shall be met prior to any further work being undertaken on the subdivisional roading.
- (c) Provide to Council, for consideration by the Northern Community Board, at least three alternative names for each of the roads to vest.
- (d) Satisfy Council that separate telephone and power connections have been installed to each new lot by providing documentation that the service providers are satisfied with the installments.

- (e) Satisfy Council that all of the olive tree planting (*ie* two hectares on specified allotments for which olives were the proposed bona fide use) has been carried out [*this relates to Lots 21, 22, 31, 34 – 36 and 45 – 48*];
 - (f) Provide, to the satisfaction of Council, an olive grove management plan which identifies, at the appropriate level of detail, the management strategies, objectives and methods of implementation for at least the first ten years of the operation of the grove. In particular the plan shall identify layout, training, pruning, fertilizing, pest and herbicide control methods (including the applicants proposal that there be no aerial spraying), maintenance, water supply, harvesting and any other relevant matters.
 - (g) Secure the conditions below by way of a consent notice issued under Section 221 of the Act, to be registered against the titles of all lots. The cost of preparing, checking and executing the notice shall be met by the applicant:
 - (i) The olive grove management plan [produced in accordance with condition 2(f)] is to be adhered to by the person responsible for the olive grove management on each new title (as arranged between the allotment owner and the grove management company). A copy of the olive grove management plan shall be given to the purchaser of each new allotment by the consent holder and passed on with any subsequent transfer of the land.
 - (h) Secure the conditions below by way of a consent notice issued under Section 221 of the Act, to be registered against the titles of lots 40, 41 and 50. The cost of preparing, checking and executing the notice shall be met by the applicant:
 - (i) A twenty metre buffer strip shall be set aside along the boundary of mean high water springs, within which no land clearance shall occur (with the exception of weed species) and no planting of exotic species shall occur. This buffer area shall be managed so as to protect and enhance water quality in the Oruaiti River and the ecological values and natural character of the coastal margin.
 - (ii) The archaeological assessment by David Nevin submitted with the application, dated March 1998 identifies archaeological sites on Lots 40, 41 and 50. Recommendations in the report shall be adhered to by the landowners.
3. Further, the Council resolves pursuant to Section 321(3)(c) of the Local Government Act 1974 that adequate access is provided to Lots 29, 39 – 41 pursuant to conditions imposed under Section 220 (1)(b)(iv) of the Resource Management Act 1991, and Council resolves on that ground that Section 321 (1) of the Act shall not apply;
4. Further, the Council resolves pursuant to Section 321(3) (c) of the Local Government Act 1974 that adequate access is provided to Lots 4, 18, 19, and 20, pursuant to conditions imposed under Section 220 (1)(b)(iv) of the Resource Management Act 1991, and Council resolves on that ground that Section 321 (1) of the Act shall not apply;

5. Further, the Council resolves:

- (a) Pursuant to Section 243 (e) of the Resource Management Act 1991, that the existing easement condition (B) over Lot 2 on Deposited Plan 142986 is hereby wholly cancelled.
- (b) Pursuant to Section 243 (e) of the Resource Management Act 1991, that the existing easement condition (A) over Lot 1 on Deposited Plan 142986 is hereby cancelled in part, in so far as it affects Lots 29 – 32 inclusive on LT Plan 205071.
- (c) Pursuant to Section 243 (e) of the Resource Management Act 1991, that the existing easement condition (A) over Lot 6 on Deposited Plan 152543 is hereby cancelled in part, in so far as it affects Lots 29 – 32 inclusive on LT Plan 205071.

6. That prior to the consent authority resolving, pursuant to Section 241 (3) of the Act, to cancel Condition 1.(c) herein, the following conditions apply, and the consent holder shall:

- (a) Provide a road upgrading contribution to Council towards improvements to the intersection of Midgeley Road with State Highway No 10, in accordance with the letter from Transit NZ (RC 1970285) dated 4 October 1996; and by the sealing of Midgeley Road from the SH10 intersection to the northern boundary of Lot 2 DP 142986, either by:

- (i) Payment in cash of the sum of \$ 181,547.00 (including GST), **or:**

NOTE: This cash contribution represents the estimated cost of the specified upgrading, as shared with other existing and approved allotments served by Midgeley Road. The cost includes a 20% contingency. If actual costs are less than estimated, the Council will refund the amount overpaid.

- (ii) Council may accept the specified work being undertaken by the consent holder, if he and/or his sub-contractors meet the approval criteria of the Council and Transit NZ."

- (b) The consent holder shall make available to Northwatch, as offered, a sum of \$ 20,000.00 towards the cost of purchasing indigenous trees and planting them within the buffer strip.

- (c) Satisfy Council that all of the olive tree planting (*ie* two hectares on specified allotments for which olives were the proposed bona fide use) has been carried out [*this relates to Lots 1 -4, 18 - 20, 28 - 30, 32, 33 and 37 - 44*];

NOTE: That a bank-guaranteed bond for a period not exceeding 12 months may be given by council to the consent holder in respect of partial non-compliance with this condition, for that number of allotments for which a demonstrated (by the consent holder) shortage of suitable olive trees applies.

STAGE 2 (Being to create Lots 5 – 17 and 23 – 25)

(NOTE: *if Stage 2 occurs before Stage 1, Condition 6(a) of Stage 1 shall be deemed to be a condition of Stage 2*)

The consent for Stage 2 shall lapse upon the expiry of four years after the date of commencement of this consent, unless otherwise given effect to, as provided for in Section 125 of the Act.

The following conditions are imposed for Stage 2, pursuant to Sections 108 and 220 of the Act:

1. That prior to approval under Section 223 of the Act, the survey plan shall show:
 - (a) The endorsement of the following conditional amalgamations, pursuant to Section 220(1)(b)(iv) of the Resource Management Act 1991:
 - (i) Lot 58 to be held as to four undivided one-quarter shares by the owners of Lots 5, 6, 7 and 10 thereon as tenants in common in the said shares and that individual certificates of titles be issued in accordance therewith.
 - (ii) Lot 59 to be held as to two undivided one-half shares by the owners of Lots 5 and 10 thereon as tenants in common in the said shares and that individual certificates of titles be issued in accordance therewith.
[DLR ref: A634864]
 - (b) An access strip in terms of Section 237B running from Road No.1 to the coastal marine area, as indicated on the subdivision plan.
 - (c) Any area within CT 509/252 or CT 81A/613 which lies below MHWS is to vest in the crown under Section 237A of the Act
 - (d) Naming of the roads to vest as provided for in condition 2(c) above (Stage 1)
2. That, before a certificate is issued pursuant to section 224 of the Act, the applicant shall:
 - (a) Provide a detailed stormwater management plan designed by a registered engineer for the management of runoff from the proposed roads and access ways, for the approval of Council
 - (b) Provide and complete the formation, surfacing and drainage of site access, from a line adjoining the southern boundary of Lot 1 DP 152543 (the proposed end of the Midgeley Road sealing) to all the Stage 2 allotments as follows:
 - (i) The specified standards are to be as set out in chapter 6 of the District Council's "Engineering Standards and Guidelines" [April 1998] and shown on drawing "FNDC/S/07" therein;

[Provided that the portions of Road No. 1 which are highlighted on the attached "Plan of the Extent of Sealed Road", dated 27 March 2000, are to be permanently surfaced (sealed) in accordance with the standards, but the balance may have a graveled surface].

NOTE: *The sealed areas indicated on the extent of seal plan are an area adjacent to Midgeley Road which is likely to exceed a 1 in 12 gradient and an area further west which was indicated to also exceed 1 in 12. These areas have been ascertained by reference to a preliminary assessment only, and Council reserves the right to review (if necessary) these sealed areas, at the time that the engineering plans (which indicate gradients) are lodged.*

NOTE: *The portion of Midgeley Road within the subdivision is to be sealed, as part of Stage 2, from the property entrance as far as the southern side of the intersection with Road No. 1 (less that which may have been completed as part of Stage 1).*

- (i) The formation of Midgeley Road and "Road No. 1" is to be to the "Type B" Rural road cross section standard. [NOTE: Frantoia Ridge Road has been suggested as a name for Road No 1];
 - (ii) The formation of JOAW Lots 58 and 59 is to be to the "Type A" Rural road cross section standard. [Lot 59 may have a carriageway width of 3.5m];
 - (iii) The works shall be in accordance with the approved stormwater management plan as specified above;
 - (iv) Approval by the Council of engineering drawings for the proposed road works is a requirement for compliance with this condition; and shall be met prior to any further work being undertaken of the subdivision roading.
- (c) Satisfy Council that separate telephone and power connections have been installed to each new lot by providing documentation that the service providers are satisfied with the installments.
- (d) Satisfy Council that all of the olive tree planting (*ie* two hectares on the specified allotments for which olives were the proposed bona fide use) has been carried out. [this relates to Lots 5 – 17, 23 and 24]
- NOTE: That a bank-guaranteed bond for a period not exceeding 12 months may be given by Council to the consent holder in respect of partial non-compliance with this condition, for that number of allotments for which a demonstrated (by the consent holder) shortage of suitable olive trees applies.
- (e) Secure the conditions below by way of a consent notice issued under section 221 of the act, to be registered against the titles of all lots. The cost of preparing, checking and executing the notice shall be met by the applicant:
- (i) The Olive Grove Management Plan [produced in accordance with condition 2(f)] is to be adhered to by the person responsible for the Olive Grove Management on each new title (as arranged between the allotment owner and the Grove Management Company). A copy of the

Olive Grove Management Plan shall be given to the purchaser of each new allotment by the consent holder and passed on with any subsequent transfer of the land.

- (ii) All buildings shall be so located that they appear below the skyline when viewed from State Highway 10. All buildings which are visible from State Highway 10 shall be finished in natural, recessive colours.
- (f) Provide, to the satisfaction of Council, and Olive Grove Management Plan which identifies, at the appropriate level of detail, the Management strategies, objectives and methods of implementation for at least the first ten years of the operation of the Grove. In particular the plan shall identify layout, training, pruning, fertilizing, pest and herbicide control methods (including the applications proposal that there be no aerial spraying), maintenance, water supply, harvesting and any other relevant matters.
- (g) Secure the conditions below by way of a consent notice issued under section 221 of the Act, to be registered against the titles of Lots 7, 8, 12, 13, 14, 24 and 25. The cost of preparing, checking and executing the notice shall be met by the applicant:
- (i) A twenty metre buffer strip shall be set aside along the boundary of mean high water springs, within which no land clearance shall occur (with the exception of weed species) and no planting of exotic species shall occur. This buffer area shall be managed so as to protect and enhance water quality in the Oruaiti River and the ecological values and natural character of the coastal margin
 - (ii) The archaeological assessment by David Nevin submitted with the application, dated March 1998 identifies archaeological sites on Lots 13, 24 and 25. Recommendations in the report shall be adhered to by landowners
- (h) The consent holder shall make available to Northwatch, as offered, a sum of \$ 20,000.00 towards the cost of purchasing indigenous trees and planting them within the buffer strip
3. Further, the Council resolves pursuant to section 321 (3)(c) of the Local Government Act 1974, that adequate access is provided to Lots 5 – 7 and 10, pursuant to conditions imposed pursuant to section 220 (1)(b)(iv) of the Resource Management Act 1991; and Council resolves on that ground that section 321 (1) of the Act shall not apply.
4. Pursuant to Section 128 of the Act, the consent authority reserves the right to review the conditions of this consent, should LINZ not accept the surveyor's MHWS fix, as described in his letter of 11 January 2001.

Reasons for the Decision:

1. The imposed conditions will ensure compliance with the relevant District Plan rules and will adequately mitigate the expected environmental effects to a minor impact level.
2. Practical concerns raised by submitters regarding roading, public access, spraying and other matters can be addressed by conditions of consent.
3. The proposal is not contrary to the objectives and policies of either the Transitional or Proposed Plan.
4. The proposal will have no more than minor adverse effects on the environment, and will enhance ecological and landscape values.
5. In considering the application, greater weight was accorded to the Transitional Plan provisions given the current status of the Proposed Plan.
6. The criteria (change of circumstance, continuing minor adverse effects, and no persons adversely affected by the condition changes) of Section 127 have been addressed and met in respect of the changes which have been made to the conditions of this consent.

STATUTORY INFORMATION

The following matters are noted as being relevant to the land, and possibly requiring additional action for statutory and code compliance. The applicant and any prospective purchasers should be aware of these matters, and hence the information will be placed on the property file and will be cited in any related project or land information memorandum that may be issued.

1. The applicant and subsequent landowners should notify the New Zealand Historic Places Trust prior to commencing any work involving ground disturbance or tree planting on or within 10 metres of the archaeological sites identified on the property in the report by D Nevin.
2. It is noted that Resource Consents may be required from Northland Regional Council for land disturbance and stream crossings associated with Stage 2 of the subdivision.
3. Pursuant to Section 36 (3) of the Resource Management Act 1991, an invoice for the additional costs of processing and considering this application will follow this notification of the decision.

REPORT:

The report by Greg Phillips, Resource Planner is attached.

P J Killalea
RESOURCE CONSENTS MANAGER

20 February 2001

Variation May 2001

FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource
Management Act 1991:

AND

IN THE MATTER of an application
under the aforesaid Act, 1991
by Ocean View Olives Ltd

APPLICATION NUMBER RC 1980846/3

HEARINGS APPLICATION TO CHANGE CONDITIONS OF THE PREVIOUSLY AMENDED (FOR ROAD REALIGNMENT) CONSENT TO ALLOW FOR MINOR CHANGES TO THE STAGING, EASEMENTS, CHANGES TO THE ESTUARINE BOUNDARY FROM MHWS INVESTIGATION AND EXISTING ROW CONSOLIDATION

The property in respect of which the application is made, is situated at the end of Midgeley Road, Uruaiti.

HEARING

Before the Hearings Committee of the Far North District Council, on the 7 May 2001, the following decision was made;

DECISION

THAT PURSUANT TO SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991, COUNCIL GRANTS ITS CONSENT TO THE CHANGE OF CERTAIN CONDITIONS OF SUBDIVISION CONSENT TO THE APPLICATION BY OCEAN VIEW OLIVES LTD (PREVIOUSLY STARGATE HOLDINGS LTD), BEING RC 1980846, TO CREATE 47 NEW RURAL ALLOTMENTS FROM EXISTING RURAL TITLES, FIRST GRANTED SUBDIVISION CONSENT IN JULY 1998, AND AMENDED ON 3 APRIL 2000 AND 26 FEBRUARY 2001.

THE FOLLOWING CHANGES ARE MADE TO THE CONSENT CONDITIONS:

- A. THAT THE INTRODUCTORY CONDITION (APPLICABLE TO STAGE 2 ONLY) BE AMENDED TO READ,

“STAGE 2 OF THE SUBDIVISION SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED PLAN OF SUBDIVISION PREPARED BY FRASER THOMAS, PLAN REFERENCE NUMBER LT 207729, SUBMITTED 19 APRIL 2001 AND DATED NOVEMBER 2000, BEING THE TITLE PLAN FOR THE PROPOSED STAGE 2.”

- B. THAT AMALGAMATION CONDITION 1 (a)(i) BE AMENDED TO READ,
“(i) LOT 58 TO BE HELD AS TO FIVE UNDIVIDED ON-FIFTH SHARES BY THE OWNERS OF LOTS 5,6,7 AND 10 THEREON, AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLES BE ISSUED IN ACCORDANCE THEREWITH.

R & R Nichols
 PO Box 156
 Mangonui
 Northland
 PH/FAX 09 406-1313

February 3, 2000

The Senior Planner
 Far North District Council
 PO Box 262
 Kaitiaki
 FAX: 408-1404

Attention: Greg Phillips

Dear Mr Phillips

RE: Upgrading Midgley Rd

In December we made payment to the Council of \$24,874. This brought our total contribution to \$31,374. for upgrading Midgley Road as per the requirements of Council for our subdivision consent.

We understand that the work that is due to be carried out includes a major upgrade of the intersection and tarsealing Midgley Road.

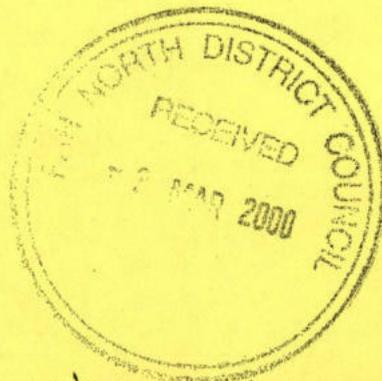
Can you please advise when this work will be completed, or is scheduled to be done. We believe that the intersection onto the Highway is unsafe as it is presently and this should be upgraded as soon as possible.

Please advise.

Yours Faithfully,


 Roy & Rhonda Nichols.

The following page is Richard Catterall's original calculation (from 1998) of the sharing of the cost responsibility of sealing Midgley. This was based on 15 existing users (Council's share) and 71 eventual users (Nichols' and Beckham's [originally Stargate Holdings]). The sum of Council + Nichols less what we've paid him should be what FNDC now owes Max Beckham. (\$74,938 less what has been paid)



Nichols total contribution was \$31,374, but he did some roadside drainage/culvert work which we valued at \$6500 on that COPY came off his cash contribution. The \$24,874 is also that's owing to Max from Nichols' cash.

UPGRADING CONTRIBUTIONS

Already = 10 (15 counting \$/g titles)
 Nichols = 15
 Stargate = 48 (41 new titles)
 Ocean View

Council = 15/71
 Nichols = 15/71
 Stargate = 41/71
 Ocean View

sent to Midgley Rd Council

	Council	Nichols	Stargate
SH 10 entrance \$41,750 <u>71 users</u>	$15/71 \times 41,750 = \$8820$	$15/71 \times 41,750 = \$8820$	$41/71 \times 41,750 = \$24,110$
Road to Nichols $\frac{500}{1100} \times 165,000 = \$75,000$ <u>72 users</u>	$15/71 \times \$75,000 = \$15,845$	$15/71 \times \$75,000 = \$15,845$	$41/71 \times \$75,000 = \$43,310$
Nichols → gate $\frac{600}{1100} \times 165,000 = \$90,000$ <u>49 users</u>	$8/49 \times 90,000 = \$14,694$	nil	$41/49 \times 90,000 = \$75,306$
\$206,750			
Subtotals A	\$39,359	\$24,665	\$142,726
Design 6% \$219,155	\$2,361	\$1,480	\$8,563
Subtotal B	\$41,720	\$26,145	\$151,289
Contingency 20% of above	\$83,444	\$5,229	\$30,258
TOTALS	\$150,064	\$31,374	\$181,547
\$262,985		- 6,500 drainage work \$24,874	

Greg Phillips

From: Greg Phillips
Sent: Tuesday, 21 October 2003 3:23 p.m.
To: Marius Gabriels
Cc: Simon Petricevich
Subject: FW: Bonds?

Marius . . .

They aren't really bonds, but Max is chasing the \$32k (approx) that was the Nicholls contribution to the Midgeley Road upgrading work that he did. I've already told that it's not my budget (I'm only the debt collector in cases like these, but the money, as I understand it, goes to a Works budget). Also he considers that there was some of the retention money which was "bonded" by the Council's \$50k contribution which hasn't been paid out.

Could you please ask Peter J to look into it and get back to Max ASAP.

. . . *Greg*

-----Original Message-----

From: Simon Petricevich
Sent: Tuesday, 21 October 2003 2:54 p.m.
To: Greg Phillips
Subject: Bonds?

Pse call Max Beckham on 0274-814961 Tks

Sheryl Moore

From: Wiebke Douglas
Sent: Friday, 11 July 2003 08:57
To: Sheryl Moore
Subject: RE: Ocean View Olives Creditor 155196

have you checked the SFL?

If you do you will see that it has been paid

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ledger	B	Level		Account Number	778138.8256						
Name:	Resource Management Act, Deposits										
Code	Date	Narration	Period:	JUN	Day:	<input type="checkbox"/>	Shit				
AP	18/ 6/2003	PAMELA ELSIE BENNETT									
AP	30/ 6/2003	OCEAN VIEW OLIVES LIMITED									
		TOTAL:									
Print		New Inq									

cheers

Wiebke Douglas
Accounts Officer (Finance)
Ext. 843
Direct Dial 09 4015223
E-mail: wwd@fndc.govt.nz

-----Original Message-----

From: Sheryl Moore
Sent: Friday, 11 July 2003 8:34 a.m.
To: Wiebke Douglas
Subject: Ocean View Olives Creditor 155196

On the 3rd July we forwarded a chq request for \$14352.00 to refunded from 7778138.8256 a bond refund

Could you please advise when this will be done if possible as it is coming up on my overdues Cer's for checking
Many Thanks

Sheryl

Cashier	HWV	Location	KTACS2	Drawer	2
Receipt No	142275	Payment Date	18/12/2001	Payment Amount	148205.00
Payer Name	BANK CHEQUE WESTPAC TRUST				

Payment Information	Amount	Reversed
000000 00-0000-0	148205.00	<input type="checkbox"/>

Debtor Code	Ledger	Detail	Amount / Dishonoured
CASH-1	B	RC 1980846 - BECKHAM M	143520.00
		778138.8256 --> 3751	
121526	RESO	RC 1980846 - AGREED FIGURE	4685.00
		RECEIPT --> 142275	

ppty 3309015
 cash bond received 18-12-01
 rpt 142275

CER 603
 RC 1980846
 bond fee pd 20/5 Rcpt 258725

FAR NORTH DISTRICT COUNCIL

CERTIFICATE OF CORRECTNESS 2/07/03

I HEREBY CERTIFY THAT THE ... bond for olive tree planting
 at Ocean View Olives, Midgeley Road Oruaiti to be released
 {Document Name} 1980846

HAS BEEN CHECKED BY ... *By Adgson* ... AND IS IN ORDER FOR
 EXECUTION BY THE COUNCIL.

... bond can be refunded as the planting work
 has been completed to Monitoring Officer's
 {Brief Description/Background to the Document} satisfaction

P. J. Hillala
 RESOURCE CONSENTS MANAGER

3/07/02
 Date

2008 Decision

FAR NORTH DISTRICT COUNCIL

OPERATIVE FAR NORTH DISTRICT PLAN (October 2007)

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

an application for Resource Consent
under the aforesaid Act by



Gary Michael Beckham

FILE NUMBER RC-2080526-RMASUB

That pursuant to Sections 104B, 108 and 220 of the Resource Management Act 1991, the Council grants its consent to Gary Michael Beckham to subdivide a property at Midgley Road Mangonui, being more particularly described as Lot 4 Deposited Plan 205071, comprised in Certificate of Title NA 133B/634 (North Auckland Registry) to create two allotments subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Country End Land Survey; referenced "Proposed Subdivision of Lot 4 DP 205071 Revision A" dated 20/12/2007 and revised 06/08, and attached to this consent with the Council's "Approved Plan" stamp affixed to it.
2. That prior to the approval under Section 223 of the Act, the survey plan shall show;
 - (i) Right of way, electricity and telecommunications as shown as easement A on the plan, to be duly granted or reserved.
 - (ii) The following amalgamation condition;

That Lot 57 DP205071 (legal access) be held as to two one-tenth shares by the owners of Lots 1 and Lot 2 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith (Request reference 755767).
3. That before a certificate is issued pursuant to Section 224(c) of the Act, the applicant shall undertake the following:
 - (a) Upgrade the access on Lot 57 to provide a 5m wide metalled carriageway on a 7.5m wide formation where 5 or more lots are served. Upgrade the balance of the access to provide a 3m wide metalled carriageway with passing bays which comply with rule 15.1.6.1.2 of the District Plan. The formation is to consist of a minimum of 200mm of compacted landfill plus GAP 40 running course. Provide a formed and metalled entrance to each lot off Lot 57 which complies with the Council Engineering Standard FNDC/S/6.
 - (b) Upgrade the stormwater disposal system, from Lot 57 DP205071 and the access tracks to the house sites, where such stormwater flows across proposed Lots 1 and 2 to the stream. Such stormwater system is to be specific designed by a suitably qualified Chartered Professional Engineer.

- (c) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the proposed allotments specified in each condition. The costs of preparing, checking and executing the Notice shall be met by the Applicants.
- (i) No dwelling shall be erected on proposed lots 1 and 2 without the prior approval of the Council to specific designs for foundations, prepared by a suitably qualified professional Engineer with geotechnical expertise.
 - (ii) When a dwelling is constructed the lot, it shall be sited such that it is not located in bush & scrub, and has adequate defensible open space around it for fire protection purposes.
 - (iii) Provide, at the time of lodging a building consent application for lots 1 & 2 on the subdivision plan, a specific design for stormwater management and effluent disposal by a suitably qualified Chartered Professional Engineer, or another approved IQP (eg a "TP 58 writer" for effluent disposal), which addresses those issues in terms of the building and impermeable surfaces being proposed in the application.
 - (iv) When a dwelling is constructed on the lots it shall have a roof water collection system with 45,000 litre storage tanks. The water tanks shall be positioned so that they are accessible (safely) for fire-fighting purposes and be coupled together and have one tank fitted with an outlet compatible with Rural Fire Service equipment or be fitted with a sprinkler system approved by Council.
 - (v) Access to the lot 2 building site is across a ford and is subject to flooding which will restrict access. The ongoing maintenance of the access and stream crossing will remain the responsibility of the Lot owner.

In consideration of the application under Section 104 of the Act, the following reasons are given for this decision:

1. Consideration was given to the Operative Far North District Plan (October 2007). Particular consideration was given to Chapters 13 (Subdivision). The proposal was also assessed against the relevant District Wide Provisions outlined in Part 3 of the Operative District Plan.
2. The principle issues in contention were of access, and erosion caused by stormwater. Condition 3(a) ensures site access is upgraded to an appropriate standard and Condition 3(b) requires the stormwater disposal system to be upgraded thereby assisting in mitigating the erosion issue.
3. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the Operative District Plan.
4. The imposed conditions will ensure compliance with the relevant rules of the Operative District Plan, and will adequately avoid, or mitigate to a minor impact level, the expected effects on the environment.

STATUTORY INFORMATION / ADVICE NOTE

The following matters are notes as being relevant to the land, and possibly requiring additional action for statutory or code compliance. The applicant and any prospective purchasers should be aware of these matters; and hence the information will be placed on the property file and will be cited in any related Project or Land Information Memorandum that may be issued by the Council.

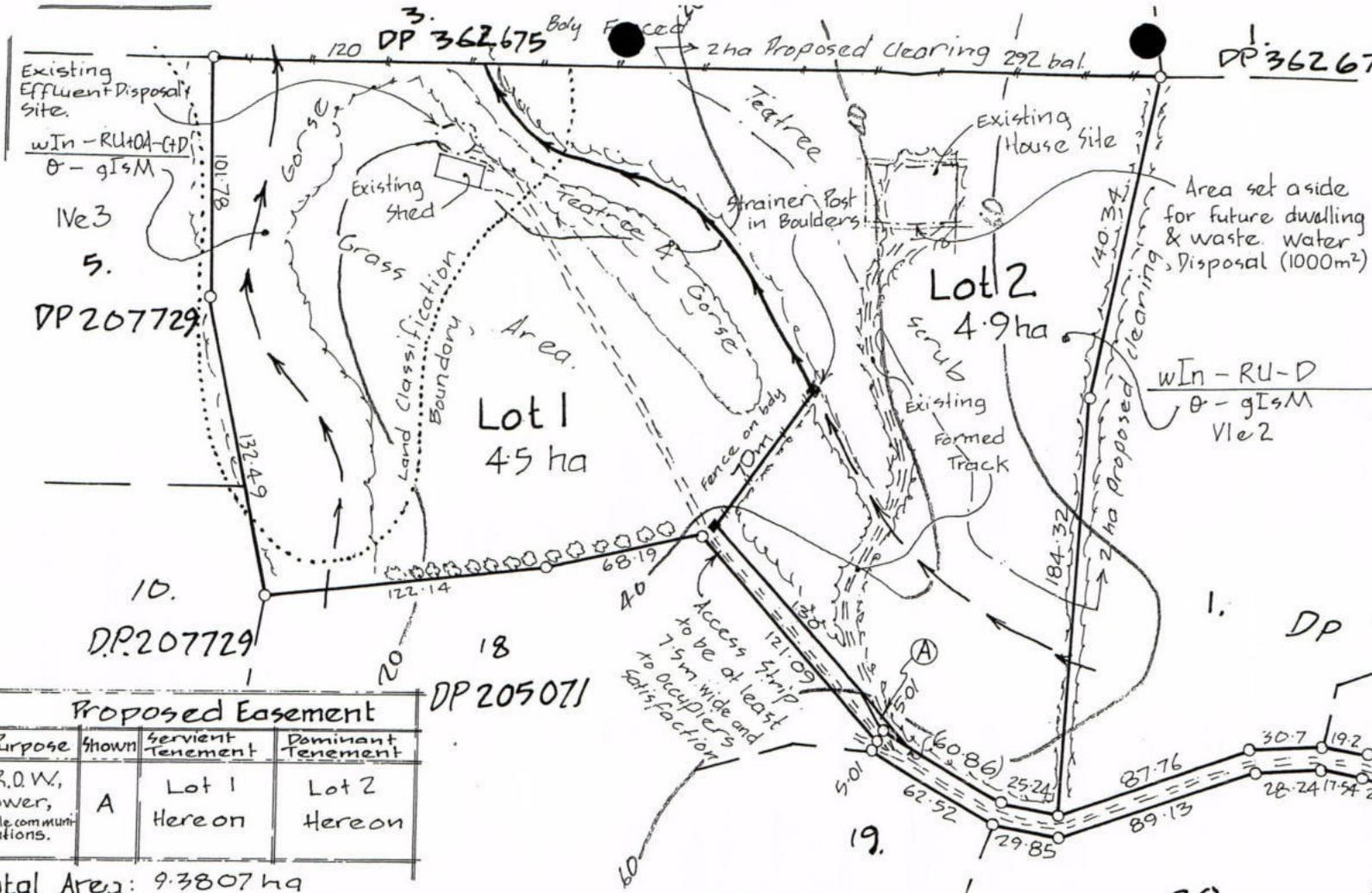
- 1 The registered Proprietor of proposed Lot 1 should be aware that there are no relevant approvals for the shed/dwelling on Lot 1 and that this situation needs to be remedied. Prior to constructing a new or additional dwelling on Lot 1, the owner should apply for and obtain a Building Consent and a Certificate of Acceptance for the existing shed/dwelling, the sewage disposal system and the stormwater disposal system.
- 2 The registered Proprietor of proposed Lot 2 is responsible for ensuring that necessary earthworks and stream crossing permits and/or consents are obtained from the relevant local authority prior to the formation or upgrade of the access to the Lot 2 house site.

DECISION PREPARED BY: Diane Kaiser – Consultant Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P. J. Killelea **Wayne Smith**
TEAM LEADER - RESOURCE CONSENTS

29th August 2008
Date



DP 362675 Amalgamation Condition.

"THAT LOT 57 DP205071 (LEGAL ACCESS) BE HELD AS TO TWO ONE TENTH SHARES BY THE OWNERS OF LOTS 1 & 2 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THEREWITH." (A.....)

-RMA, Sec 220(1)(b)(iv)

APPROVALS:

I DAVID M. CAMPBELL WHO OCCUPIES LOT 4 DP 205071 HAS NO OBJECTION TO THIS SUBDIVISION.

SIGNED *D.M. Campbell*

DATE 20-12-07

FOR & BEHALF OF: MG & DJ CAMPBELL.

I/WE HAVE NO OBJECTION TO THIS SUBDIVISION.

SIGNED

DATED

Proposed Easement			
Purpose	Shown	Servient Tenement	Dominant Tenement
R.O.W., Power, Telecommunications.	A	Lot 1 Hereon	Lot 2 Hereon

Total Area: 9.3807 ha
Comprised In: CT 133B/634

- Notes:
- DIMENSIONS ARE IN METRES.
 - AREAS & DIMENSIONS ARE SUBJECT TO FINAL SURVEY.
 - THIS PLAN CONTAINS PRIVILEGED INFORMATION ITS USERS & PURPOSE OF USE ARE AT THE DISCRETION OF COUNTRY END

Rex D. Williams
Rex D. Williams
Licensed Cadastral Surveyor

APPROVED PLAN

PLANNER *D. Kase*

RC ~~2080526~~ Date 22.8.08

PREPARED BY
COUNTRY END LAND SURVEY
RESOURCE CONSENTS* BOUNDARY LOCATIONS* SUBDIVISION
Ph 09 4080005 / Fax 09 4080105

Proposed Subdivision of Lot 4
D.P. 205071.

Revision A	Effluent Disposal Details Added 06/08	SHEET
PREPARED FOR	GM Beckham	
DRAWN BY	DATE 20/12/07	SCALE 1:2000
		REF 171

FAR NORTH DISTRICT COUNCIL

OPERATIVE FAR NORTH DISTRICT PLAN (October 2007)

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

an application for Resource Consent
under the aforesaid Act by

Gary Michael Beckham

FILE NUMBER RC-2080526-RMASUB

3
That pursuant to Sections 104C, 108 and 220 of the Resource Management Act 1991, the Council grants its consent to Gary Michael Beckham to subdivide a property at Midgley Road Mangonui, being more particularly described as Lot 4 Deposited Plan 205071, comprised in Certificate of Title NA 133B/634 (North Auckland Registry) to create two allotments subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Country End Land Survey; referenced "Proposed Subdivision of Lot 4 DP 205071 Revision A" dated 20/12/2007 and revised 06/08, and attached to this consent with the Council's "Approved Plan" stamp affixed to it.
2. That prior to the approval under Section 223 of the Act, the survey plan shall show;
 - (i) Right of way, electricity and telecommunications as shown as easement A on the plan, to be duly granted or reserved.
 - (ii) The following amalgamation condition;

That Lot 57 DP205071 (legal access) be held as to two one-tenth shares by the owners of Lots 1 and Lot 2 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith (Request reference 755767).

3. That before a certificate is issued pursuant to Section 224(c) of the Act, the applicant shall undertake the following:
 - (a) Upgrade the access to FNDC standards for rural access.

on lot 57 to provide a 5m wide metalled carriageway on a 7.5 m wide formation where 5 or more lots are served. Upgrade the balance of the access to provide a 3m wide metalled carriageway with passing bays which comply with rule 15.1.6.1.2 of the District Plan. The formation is to consist of a minimum of 200mm of compacted brown fill plus a GAP 40 running course.

PAKARAKA PARKLAND

BY DUFFILL WATTS AND KING AND INCLUDED IN THE APPROVED MANAGEMENT PLAN. (is this the correct reference)

A PROGRAMMED MAINTENANCE CONTRACT FOR THE TREATMENT SYSTEM AND DISPOSAL AREA IS REQUIRED. THE MINIMUM OPERATIONAL AND MAINTENANCE PROCEDURES WHICH MUST BE FOLLOWED FOR A STANDARD AERATED TANK COMPRISE A MONTHLY CHECK THAT THE TANK VENT IS CLEAR AND A YEARLY CHECK ON THE LEVEL OF SLUDGE AND SCUM IN THE TANK. ALL THE MANUFACTURER'S RECOMMENDATIONS SHALL BE COMPLIED WITH.

- when a* *is conducted on the lot it*
- (iv) (e) ~~EACH~~ DWELLING SHALL HAVE A ROOF WATER COLLECTION SYSTEM WITH 45,000 LITRE STORAGE TANKS. THE WATER TANKS SHALL BE POSITIONED SO THAT THEY ARE ACCESSIBLE (SAFELY) FOR FIRE-FIGHTING PURPOSES AND BE COUPLED TOGETHER AND HAVE ONE TANK FITTED WITH AN OUTLET COMPATIBLE WITH RURAL FIRE SERVICE EQUIPMENT OR BE FITTED WITH A SPRINKLER SYSTEM APPROVED BY COUNCIL.
- (f) NO FURTHER RE-SUBDIVISION OF ANY ALLOTMENT WITHIN THE SUBDIVISION SHALL BE PERMITTED.
- (g) ON ALL LOTS NO OCCUPIER OF OR VISITOR TO THE SITE, SHALL KEEP OR INTRODUCE TO THE SITE CATS OR MUSTELIDS. OWNERS OF EACH LOT (1 - 18) ARE LIMITED TO BRINGING ONE DOG ONTO EACH LOT PROVIDED THAT THE DOG MUST AT ALL TIMES BE KEPT ON A LEASH WHEN WITHIN THE CONFINES OF THE SUBDIVISION BUT OUTSIDE THE BOUNDARIES OF THE OWNERS ALLOTMENT. NO DOG SHALL BE PERMITTED ON LOT 19.
- (h) NO PERSON SHALL WITHOUT THE PRIOR WRITTEN CONSENT OF THE COUNCIL AND THEN IN STRICT COMPLIANCE WITH ANY CONDITIONS IMPOSED BY THE COUNCIL, CUT DOWN, DAMAGE OR DESTROY ANY OF THE TREES WITHIN THE AREA DEFINED AS "OLIVE TREES" IDENTIFIED ON THE SURVEY PLAN. WHERE SUCH REQUEST INVOLVES THE INTRODUCTION OF A DIFFERENT PRODUCTIVE CROP, COUNCIL APPROVAL WILL NOT BE UNREASONABLY WITHHELD. A PERSON SHALL NOT BE IN BREACH OF THIS PROHIBITION, IF ANY SUCH VEGETATION SHALL DIE OF NATURAL CAUSES, NOT ATTRIBUTABLE TO ANY ACT OR DEFAULT, BY OR ON BEHALF OF THE LAND OWNERS/OCCUPIERS OR FOR WHICH THE LAND

provide a formed and metalled entrance to each lot, which complies with the Council Engineering Standard Lot 57 Final 5/6.

- (b) Upgrade the stormwater disposal system, from Lot 57 DP205071 and the access tracks to the house sites, where such stormwater flows across proposed Lots 1 and 2 to the stream. Such stormwater system is to be specifically designed by a suitably qualified Chartered Professional Engineer.
- (c) Ensure that the consent notice D628531.11 as shown on the current Certificate of Title is transferred to proposed Lot 1 and to proposed Lot 2.
- (d) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the proposed allotments specified in each condition. The costs of preparing, checking and executing the Notice shall be met by the Applicants.
- (i) No dwelling shall be erected on proposed Lot 2 without the prior approval of the Council to specific designs for foundations, prepared by a suitably qualified professional Engineer with geotechnical expertise.
- (ii) When a dwelling is constructed on Lot 2, it shall be sited such that it is not located in bush & scrub, and has adequate defensible open space around it for fire protection purposes.
- (iii) Provide, at the time of lodging a building consent application for Lot 2 on the subdivision plan, a specific design for stormwater management and effluent disposal by a suitably qualified Chartered Professional Engineer, or another approved IQP (eg a "TP 58 writer" for effluent disposal), which addresses those issues in terms of the building and impermeable surfaces being proposed in the application.
- (iv) When a dwelling is constructed on Lot 2, the owner shall provide an adequate on-site water supply for fire fighting purposes, as outlined in the New Zealand Fire Service document, *Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003*. Furthermore, ensure that adequate access for fire appliances to this water supply is provided pursuant to the Code of Practice.

In consideration of the application under Section 104 of the Act, the following reasons are given for this decision:

1. Consideration was given to the Operative Far North District Plan (October 2007). Particular consideration was given to Chapters 13 (Subdivision). The proposal was also assessed against the relevant District Wide Provisions outlined in Part 3 of the Operative District Plan.
2. The principle issues in contention were of access, and erosion caused by stormwater. Condition 3(a) ensures site access is upgraded to an appropriate standard and Condition 3(b) requires the stormwater disposal system to be upgraded thereby assisting in mitigating the erosion issue.
3. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the Operative District Plan.

Consent Notice for Lot 2 building site
Access to the lot is across a ford which is subject to flooding which will restrict access. The ongoing maintenance of the access over stream crossing will remain the responsibility of the lot owner.

4. The imposed conditions will ensure compliance with the relevant rules of the Operative District Plan, and will adequately avoid, or mitigate to a minor impact level, the expected effects on the environment.

STATUTORY INFORMATION / ADVICE NOTE

The following matters are notes as being relevant to the land, and possibly requiring additional action for statutory or code compliance. The applicant and any prospective purchasers should be aware of these matters; and hence the information will be placed on the property file and will be cited in any related Project or Land Information Memorandum that may be issued by the Council.

- 1 The registered Proprietor of proposed Lot 1 should be aware that there are no relevant approvals for the shed/dwelling on Lot 1 and that this situation needs to be remedied. Prior to constructing a new or additional dwelling on Lot 1, the owner should apply for and obtain a Building Consent and a Certificate of Acceptance for the existing shed/dwelling, the sewage disposal system and the stormwater disposal system.
- 2 The registered Proprietor of proposed Lot 2 is responsible for ensuring that necessary earthworks and stream crossing permits and/or consents are obtained from the relevant local authority prior to the formation or upgrade of the access to the Lot 2 house site.

DECISION PREPARED BY: Diane Kaiser – Consultant Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

Wayne Smith

TEAM LEADER - RESOURCE CONSENTS

Date

APPLICATION FOR SUBDIVISION CONSENT

Applicant

Resource Application No.

G. M. BECKHAM

RC2080526

(for MG & DJ Campbell)
11.1.08

Date Received



RCINF

Application Fees

\$800.00

Receipt/Number

1198070

Type of Application

SUBDIVISION

Zoning of Land

RURAL PRODUCTION

Legal Description

Lot 4 DP 205071

Property Address and Location

Lott, Midgley Rd, Mangonui

Valuation Reference No./Property ID

85-06805

Cross References
Bldg
RC

Section 88 Date

18-01-08

received

Section 92

Notification Date

Amendments/dated

Notification Date/Closing Date

Hearing Date

Decision

Deposited plan number

Survey Plan Approval...S223

Certification...S.224 (c)

Other Certificate...S.221/222

Monitoring

Yes No

Planner

DPUS

**DETERMINATIONS PURSUANT TO SECTIONS 93 AND 94 OF
THE RESOURCE MANAGEMENT ACT 1991**

(Note: for applications other than minor / straight forward ones, also complete the 3 sheet 593 / 94 Determination form, attached to the consent template).

Applicant:..... RC.....

Activity:	Permitted	<input type="checkbox"/>	Controlled	<input type="checkbox"/>	Discretionary	<input type="checkbox"/>	Non-Complying	<input type="checkbox"/>
	Permitted	<input type="checkbox"/>	Controlled	<input type="checkbox"/>	Discretionary or Restricted Discretionary	<input type="checkbox"/>	Non-Complying	<input type="checkbox"/>

A. WRITTEN APPROVAL REQUIRED Obtained

Name:	How Affected:	Yes	No

..... "THAT pursuant to Section 94 Council considers that the above persons/no persons may be adversely affected by the granting of this resource consent."

Resource Planner Date:.....
ESM/RCM Date:.....

NON-NOTIFICATION

Reasons for Non-Notification:

Decision "THAT pursuant to Sections 93 and 94 Council determines, for the reasons outlined above that this application need not be notified."

Resource Planner Date:.....
ESM/RCM Date:.....

C. NOTIFICATION / LIMITED NOTIFICATION

Decision "THAT pursuant to Sections 93 and 94 Council determines, for the reasons outlined above that this application be notified / processed by serving notice."

Resource Planner Date:.....
ESM/RCM Date:.....

FILECORP EZI-CIIP
Re-order No: 06FCH3001

CER 4609

05/05/09

KHO – Please scan[^] and return file to

SHARON TIPENE
DEVELOPMENT CONSENTS DEPT.
KAITAIA.

(This RC file needs to be marked in the
register as returned)

DATE RECEIVED: 17.4.09

NAME OF APPLICANT: 2080526

4609

RC NUMBER: Beddham

LAND COVENANT as shown on Survey Plan - Yes / No (Planner)
COPY TO FOLDER & NOTE SPREADSHEET - Yes / No (Admin)

CHECKED BY RESOURCE PLANNER
AND IS IN ORDER FOR SIGNING:

[Signature] DATE 23-4-09

[Signature]

CHECKED BY BUILDING OFFICER IF 224 (F) CERTIFICATION REQUIRED:

DATE _____

COMMENTS: _____

DATE SIGNED UNDER DELEGATED AUTHORITY: _____

PLAN RETURNED TO: Country End

DATE: _____

PAYMENT RECEIVED: \$ 295.00 RECEIPT NUMBER [Signature]

TA Approvals

Territorial Authority	Far North District Council TA Certification Division	TA Reference	RC 2080526
Survey Number	LT 418515	Survey Purpose	LT Subdivision
Surveyor Reference	Job 171	Land District	North Auckland
Surveyor	Ian Michael Dickey		
Surveyor Firm	Country End (Kaitaia)		
Dataset Description	Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071		

TA Certificates

I hereby certify that plan DP 418515 was approved by the Far North District Council pursuant to section 223 of the Resource Management Act 1991 on the 27th day of April 2009.

The approval of the Council under Section 223 of the Resource Management Act 1991 is subject to the amalgamation condition(s) set out hereon

Signature

Signed by Murray Allan McDonald, Authorised Officer, on 27/04/2009 01:41 PM

Receipt Information

Transaction Receipt Number	4018163
Signing Certificate (Distinguished Name)	McDonald, Murray Allan
Signing Certificate (Serial Number)	1019655738
Signature Date	27/04/2009

*** End of Report ***

COPY



Digital Survey Plan - LT 418515

Survey Number LT 418515
Surveyor Reference Job 171
Surveyor Ian Michael Dickey
Survey Firm Country End (Kaitaia)
Surveyor Declaration

Survey Details

Dataset Description Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071
Purpose LT Subdivision
Status Initiated **Type** Survey
Land District North Auckland **Survey Class** Class III Cadastral Survey
Coordinate System Mount Eden 1949

Survey Dates

Surveyed Date 25/03/2009 **Certified Date**
Submitted Date **Survey Approval Date**
Deposit Date

Referenced Surveys

Survey Number	Land District	Bearing Correction
DP 207729	North Auckland	0°00'00"
DP 362675	North Auckland	0°00'00"
DP 205071	North Auckland	0°00'00"

Territorial Authorities

Far North District

Comprised In

CT NA133B/634

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 418515	Fee Simple Title	4.7524 Ha	471251
Lot 2 Deposited Plan 418515	Fee Simple Title	4.6277 Ha	471252
Total Area		9.3801 Ha	



Mark and Observation

Survey Number DP 418515
Coordinate System Mount Eden 1949

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
IT B DP 138817	IS XVI DP 205071	ob2	181°34'10"	M	293.81	M
IS XVI DP 205071	IS XI DP 418515	ob3	278°13'20"	M	70.78	M
IS XI DP 418515	IB 12 DP 418515	ob5	261°24'10"	M	171.29	M
IB 12 DP 418515	IS 1 DP 418515	ob7	330°21'40"	M	138.18	M
IS 1 DP 418515	IB 2 DP 418515	ob15	306°12'45"	M	170.94	M
IB 2 DP 418515	IB 3 DP 418515	ob20	347°39'10"	M	92.27	M
IB 3 DP 418515	IT AI DP 205071	ob21	265°33'20"	M	97.37	M
IT AI DP 205071	IT AJ DP 205071	ob22	90°09'30"	M	441.18	M
IT AJ DP 205071	IT B DP 138817	ob27	87°01'20"	M	129.54	M
IB 12 DP 418515	IT AJ DP 205071	ob8	21°19'30"	M	324.72	M
IS XVI DP 205071	IS XI DP 205071	ob4	278°15'00"	A DP 205071	70.78	A DP 205071
IS XI DP 205071	IB 12 DP 418515	ob28	261°23'00"	A DP 205071	171.31	A DP 205071
IS XI DP 418515	IS XI DP 205071	ob6	9°09'00"	C	0.04	C
IS 1 DP 418515	IS 11 DP 418515	ob16	59°47'30"	M	48.11	M
IS 11 DP 418515	IS 10 DP 418515	ob29	309°34'30"	M	25.67	M
IS 10 DP 418515	IB 9 DP 418515	ob31	344°59'40"	M	92.03	M
IB 9 DP 418515	IS 8 DP 418515	ob32	272°05'00"	M	44.65	M
IS 8 DP 418515	IS 7 DP 418515	ob33	336°36'00"	M	37.63	M
IS 7 DP 418515	IS 6 DP 418515	ob34	262°23'00"	M	30.15	M
IS 6 DP 418515	IS 5 DP 418515	ob35	355°58'30"	M	18.65	M
IS 5 DP 418515	IS 4 DP 418515	ob36	290°49'30"	M	36.03	M
IS 4 DP 418515	IB 3 DP 418515	ob38	266°29'30"	M	31.25	M
IT AI DP 205071	IT AK DP 205071	ob23	196°03'30"	M	130.60	M
IT AI DP 205071	PEG 1AI DP 418515	ob24	57°50'00"	M	23.70	M
PEG 1AI DP 418515	PEG 4A DP 418515	ob40	90°02'30"	A DP 205071	108.44	C
PEG 4A DP 418515	UNMK 20 DP 418515	ob41	90°02'30"	A DP 205071	14.72	C
UNMK 20 DP 418515	PEG 4B DP 418515	ob63	90°02'30"	A DP 205071	19.95	C
PEG 4B DP 418515	PEG (1AJ) DP 205071	ob42	90°02'30"	A DP 205071	269.37	C
PEG (1AJ) DP 205071	IT AJ DP 205071	ob43	147°23'00"	M	16.06	M
IS 4 DP 418515	PEG 4B DP 418515	ob39	84°59'00"	M	35.03	M
IB 12 DP 418515	PEG (XXA) DP 205071	ob9	94°35'00"	M	75.72	M
PEG (XXA) DP 205071	PEG (2AJ) DP 205071	ob44	2°32'00"	A DP 205071	184.32	A DP 205071
PEG (2AJ) DP 205071	PEG (1AJ) DP 205071	ob45	10°36'00"	A DP 205071	140.34	A DP 205071
IB 12 DP 418515	PEG XXB DP 418515	ob10	91°22'00"	M	50.54	M
PEG XXB DP 418515	PEG (XXA) DP 205071	ob46	100°59'00"	A DP 205071	25.42	A DP 205071
IB 12 DP 418515	PEG XXD DP 418515	ob11	355°36'00"	M	29.21	M
PEG XXD DP 418515	PEG XXC DP 418515	ob47	119°53'00"	A DP 205071	50.87	C
PEG XXC DP 418515	PEG XXB DP 418515	ob48	119°53'00"	A DP 205071	9.99	C
IB 12 DP 418515	PEG XXC DP 418515	ob12	84°51'30"	M	42.03	M
IB 12 DP 418515	PEG XXF DP 418515	ob13	4°54'00"	M	35.51	M

Mark and Observation

Survey Number DP 418515
Coordinate System Mount Eden 1949

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
PEG XXF DP 418515	PEG XXC DP 418515	ob49	129°09'00"	C	50.07	C
IB 12 DP 418515	PEG 1B DP 418515	ob14	335°44'30"	M	79.55	M
PEG 1B DP 418515	IS 1 DP 418515	ob50	323°08'30"	M	59.45	M
PEG 1B DP 418515	PEG XXF DP 418515	ob51	136°08'00"	C	51.53	C
IS 1 DP 418515	PEG 1A DP 418515	ob17	136°57'00"	M	2.63	M
PEG 1A DP 418515	PEG 1B DP 418515	ob52	143°26'00"	C	56.84	C
IS 11 DP 418515	PEG 11A DP 418515	ob30	142°33'00"	M	0.84	M
PEG 11A DP 418515	PEG 1A DP 418515	ob53	237°43'00"	C	47.67	C
IS 1 DP 418515	PEG (XXIA) DP 205071	ob18	254°25'00"	M	17.23	M
PEG (XXIA) DP 205071	IS XXI DP 205071	ob58	156°14'30"	A DP 205071	103.87	A DP 205071
IS XXI DP 205071	IB 12 DP 418515	ob61	115°21'00"	M	47.69	M
PEG (XXIA) DP 205071	PEG (XXE) DP 205071	ob59	138°31'00"	A DP 205071	121.09	A DP 205071
PEG (XXE) DP 205071	PEG XXD DP 418515	ob62	29°54'00"	A DP 205071	5.01	A DP 205071
PEG (XXIA) DP 205071	PEG (XXIB) DP 205071	ob60	256°46'00"	A DP 205071	68.19	A DP 205071
PEG (XXIB) DP 205071	PEG (1AL) DP 205071	ob55	263°03'30"	A DP 205071	122.14	A DP 205071
PEG (1AL) DP 205071	PEG (1AK) DP 205071	ob56	347°44'20"	A DP 205071	132.49	A DP 205071
PEG (1AK) DP 205071	PEG 1AI DP 418515	ob57	358°41'30"	A DP 205071	101.78	A DP 205071
PEG 11A DP 418515	UNMK 1 DP 418515	ob54	57°43'00"	C	4.74	C
UNMK 1 DP 418515	UNMK 2 DP 418515	ob64	2°06'00"	C	6.36	C
UNMK 2 DP 418515	UNMK 3 DP 418515	ob65	261°44'00"	C	13.80	C
UNMK 3 DP 418515	UNMK 4 DP 418515	ob66	288°43'00"	C	14.46	C
UNMK 4 DP 418515	UNMK 5 DP 418515	ob67	319°52'00"	C	7.43	C
UNMK 5 DP 418515	UNMK 6 DP 418515	ob68	28°31'00"	C	7.76	C
UNMK 6 DP 418515	UNMK 7 DP 418515	ob69	4°27'00"	C	11.20	C
UNMK 7 DP 418515	UNMK 8 DP 418515	ob70	316°37'00"	C	11.23	C
UNMK 8 DP 418515	UNMK 9 DP 418515	ob71	357°07'00"	C	18.91	C
UNMK 9 DP 418515	UNMK 10 DP 418515	ob72	343°32'00"	C	27.95	C
UNMK 10 DP 418515	UNMK 11 DP 418515	ob73	328°47'00"	C	22.21	C
UNMK 11 DP 418515	UNMK 12 DP 418515	ob74	290°13'00"	C	11.90	C
UNMK 12 DP 418515	UNMK 13 DP 418515	ob75	241°51'00"	C	21.07	C
UNMK 13 DP 418515	UNMK 14 DP 418515	ob76	288°22'00"	C	11.80	C
UNMK 14 DP 418515	UNMK 15 DP 418515	ob77	357°47'00"	C	14.25	C
UNMK 15 DP 418515	UNMK 16 DP 418515	ob78	336°13'00"	C	23.16	C
UNMK 16 DP 418515	UNMK 17 DP 418515	ob79	266°53'00"	C	18.83	C
UNMK 17 DP 418515	UNMK 18 DP 418515	ob80	235°34'00"	C	18.49	C
UNMK 18 DP 418515	UNMK 19 DP 418515	ob81	357°08'00"	C	25.88	C

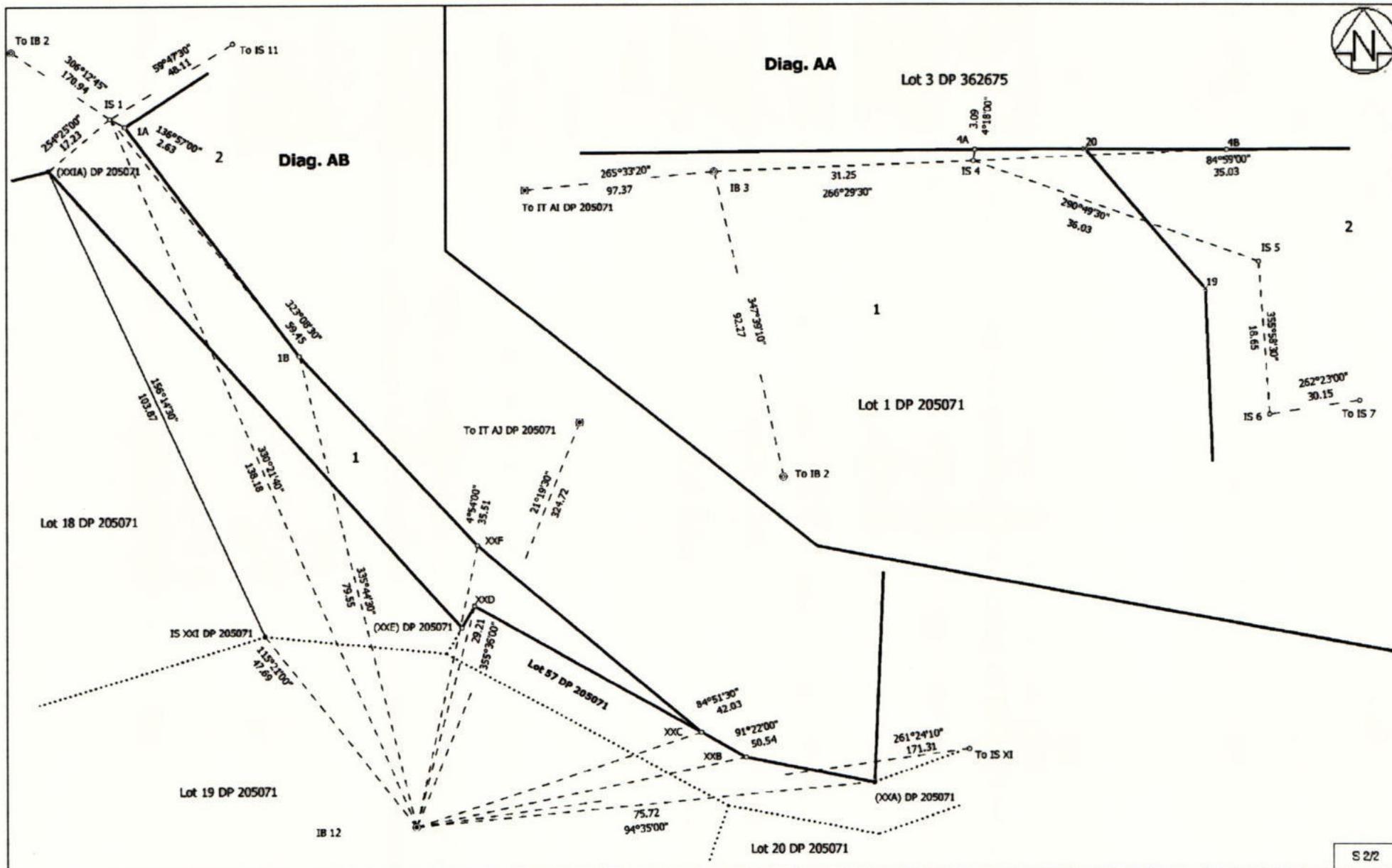
Mark and Observation

Survey Number DP 418515
Coordinate System Mount Eden 1949

From	To	Code	Bearing	Adpt Surv	Distance	Adpt Surv
UNMK 19 DP 418515	UNMK 20 DP 418515	pb82	316°27'00"	C	23.21	C
IT AJ DP 205071	20 RANGIKAPITI	pb26	311°05'45"	M	5,113.01	C
IT B DP 138817	TARATARA NO 2	pb0	126°15'05"	M	11,222.97	C
IT B DP 138817	27 KOPUOKAI	pb1	240°30'20"	M	16,020.99	C
IS 4 DP 418515	PEG 4A DP 418515	pb37	4°18'00"	M	3.09	M
IB 2 DP 418515	IT AJ DP 205071	pb19	75°55'05"	M	334.42	M
IT AJ DP 205071	27 KOPUOKAI	pb25	240°17'45"	M	15,905.18	C

Mark Name	Description
IB 12 DP 418515	Replaces IS XX DP 205071
PEG 1AI DP 418515	OP Reinstated from DP 205071
PEG XXB DP 418515	Position Reinstated DP 205071
PEG XXD DP 418515	Position Reinstated DP 205071

*** End of Report ***



Diag. AA

Lot 3 DP 362675

Diag. AB

Lot 1 DP 205071

Lot 18 DP 205071

Lot 19 DP 205071

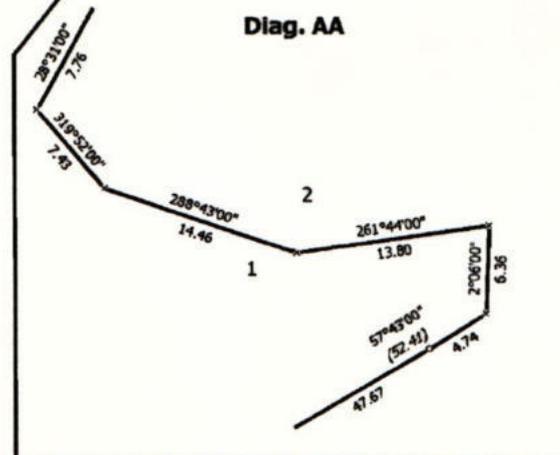
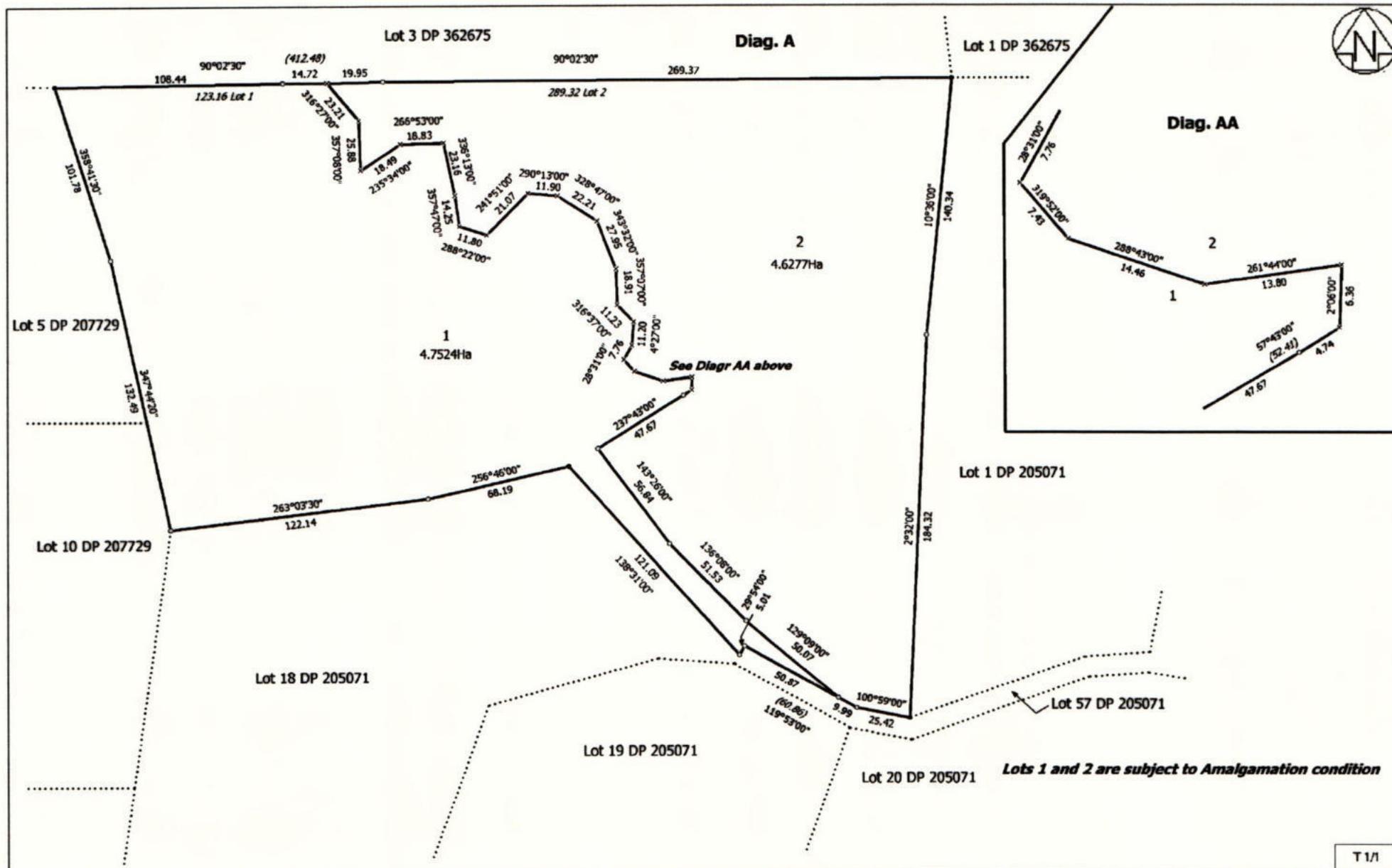
Lot 20 DP 205071

Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071

Surveyor: Ian Michael Dickey
 Firm: Country End (Kaiteia)
 Survey Date: 25/03/2009

Digital Survey Plan
 LT 418515
 DRAFT

Land District North Auckland
 Digitally Generated Plan
 Generated on: 06/04/2009 2:20pm Page 6 of 7



Land District: North Auckland
 Digitally Generated Plan
 Generated on: 06/04/2009 2:20pm Page 7 of 7

Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071

Surveyor: Ian Michael Dickey
 Firm: Country End (Kaiteia)
 Survey Date: 25/03/2009

Digital Survey Plan
 LT 418515
 DRAFT



Digital Title Plan - LT 418515

Survey Number LT 418515
Surveyor Reference Job 171
Surveyor Ian Michael Dickey
Survey Firm Country End (Kaitaia)
Surveyor Declaration

Survey Details

Dataset Description Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071
Status Initiated
Land District North Auckland
Submitted Date
Survey Class Class III Cadastral Survey
Survey Approval Date
Deposit Date

Territorial Authorities

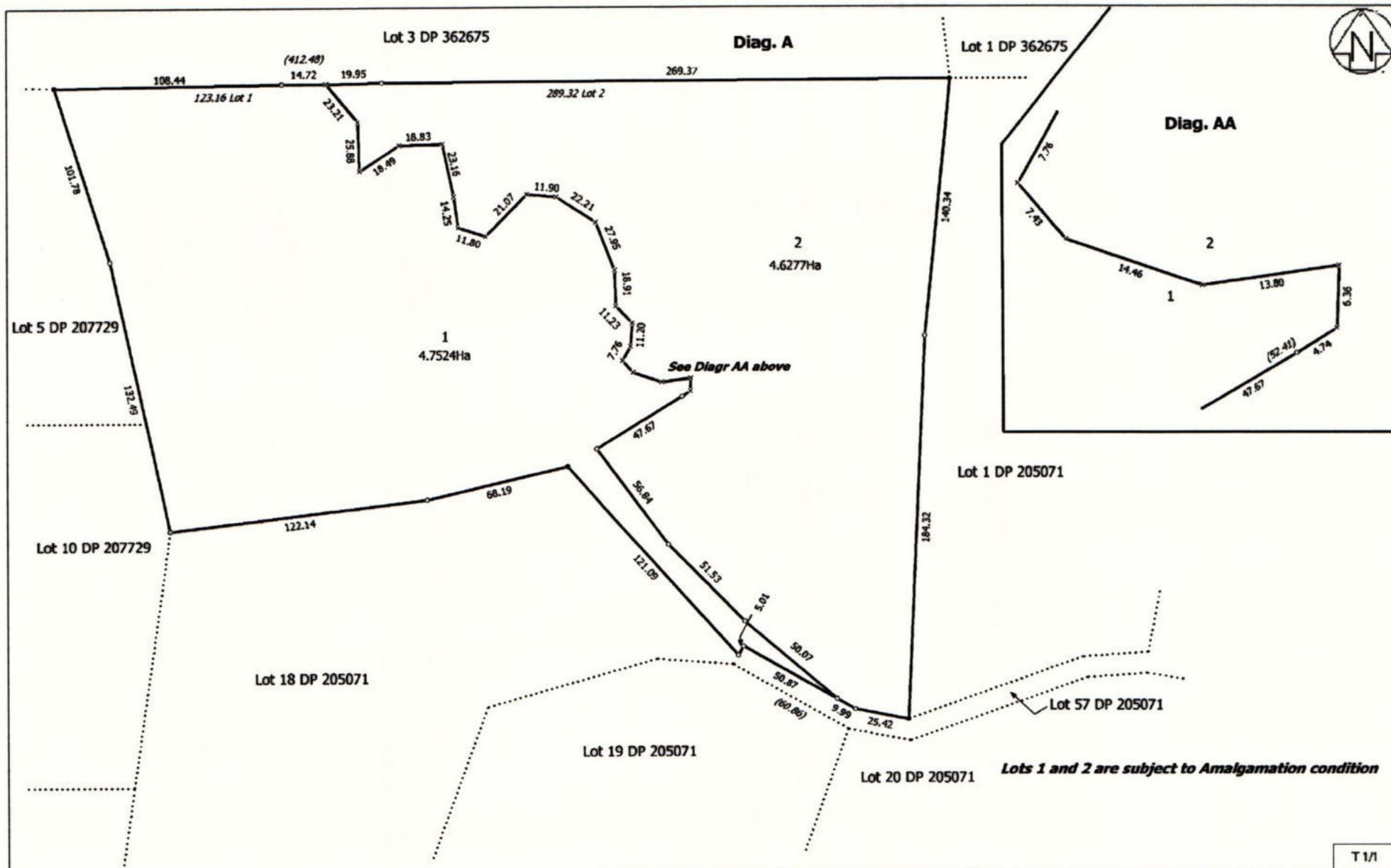
Far North District

Comprised In

CT NA133B/634

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 418515	Fee Simple Title	4.7524 Ha	471251
Lot 2 Deposited Plan 418515	Fee Simple Title	4.6277 Ha	471252
Total Area		<u>9.3801 Ha</u>	



Land District: North Auckland

Digitally Generated Plan
Generated on: 06/04/2009 2:20pm Page 2 of 2

Lots 1 and 2 Being a Subdivision of Lot 4 DP 205071

Surveyor: Ian Michael Dickey
Firm: Country End (Kaiteia)

Digital Title Plan
LT 418515
DRAFT

Amalgamation Condition

"That Lot 57 DP 205071 (legal access) be held as to two one-tenth shares by the owners of Lots 1 and Lot 2 hereon as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith (Request reference 755767)."

Louise Wilson

From: Country End Land Survey [survey@countryend.co.nz]
Sent: Tuesday, 21 April 2009 8:40 a.m.
To: Louise Wilson
Subject: RE: Condition 2(i) of RC2080526

Good Morning

As discussed yesterday, when surveying the new boundary for Lots 1 & 2, it was found that the access formations to both Lots, exited from Lot 57 DP 205071 with good separation between those formations, and therefore had no interference/over lap between one and the other.

ROW 'A' over Lot 1, in favour of Lot 2 is therefore no longer required.

Regards,

Lionel.

PH 09 4080005
FAX 09 4080105

COUNTRY END
PO Box 722
KAITAIA 0441.

-----Original Message-----

From: Louise Wilson [mailto:Louise.Wilson@fndc.govt.nz]
Sent: Monday, 20 April 2009 1:57 p.m.
To: survey@countryend.co.nz
Cc: Donna Smith
Subject: Condition 2(i) of RC2080526

Good Afternoon,

I am currently checking the 223 conditions for RC2080526 Beckham. Condition 2(i) requires the survey plan to show as easement A the ROW, electricity and telecommunications easement. The survey plan you have provided does not include easement A or a memorandum of easements. Can you please provide a survey plan that satisfies condition 2 (i) OR indicate why condition 2 (i) is no longer required.
Regards

Louise Wilson
Assistant Planner
Development Consents
louise.wilson@fndc.govt.nz
09 4070 449

Louise Wilson

To: survey@countryend.co.nz
Cc: Donna Smith
Subject: Condition 2(i) of RC2080526

Good Afternoon,

I am currently checking the 223 conditions for RC2080526 Beckham. Condition 2(i) requires the survey plan to show as easement A the ROW, electricity and telecommunications easement. The survey plan you have provided does not include easement A or a memorandum of easements. Can you please provide a survey plan that satisfies condition 2 (i) OR indicate why condition 2 (i) is no longer required.
Regards

Louise Wilson
Assistant Planner
Development Consents
louise.wilson@fndc.govt.nz
09 4070 449

17 April 2009



Donna May Smith
Far North District Council TA Certification Division
Private Bag 752
Kaikohe
New Zealand

**TERRITORIAL AUTHORITY NOTIFICATION: LT 418515 FAR NORTH
DISTRICT COUNCIL TA CERTIFICATION DIVISION TERRITORIAL
AUTHORITY**

Surveyor Ian Michael Dickey from Survey Firm Country End (Kaitia) advises that survey LT 418515 requires TA Certification.

Licensed Cadastral Surveyor

*rc 2080526
223*

Auckland Processing Centre
Oracle Tower
56 Watfield Street
Private Bag 92016
Auckland
New Zealand
Tel 0800 ONLINE (665463)
Fax 64-9-365 9901
Internet
<http://www.linz.govt.nz>

**DETERMINATION AS TO WHETHER A RESOURCE CONSENT APPLICATION
SHOULD BE NOTIFIED OR NON NOTIFIED UNDER SECTIONS 93 AND 94 OF
THE RESOURCE MANAGEMENT ACT 1991**

**GM Beckham
Midgley Road
Mangonui 2591**

Subdivision Consent to create 2 lots from Lot 4 DP 205071

RC-2080526-RMASUB

1. Status of Application

Operative Far North District Plan (October 2007)

The property is located within the Rural Production Zone under the Operative Far North District Plan. The proposal is to subdivide Lot 4 DP 205071 to create 2 new allotments.

Proposed Lot 1 is 4.5 ha. This lot has an existing shed which is being used as a residence.

Proposed Lot 2 is 4.9 ha and has an existing house site.

Both lots are accessed by a shared access way (Lot 57 DP 205071) from Midgley Road.

The subdivision is considered to be a **Discretionary Activity** in accordance with Rule 13.7.2.1 which stipulates a minimum lot size of 4 ha.

2A. Are the adverse effects minor? Yes

An analysis of all of the effects of the proposal pursuant to section 94A of the Resource Management Act 1991 has been undertaken. (Note all adverse effects for Discretionary/Non Complying Activities must be considered).

Possible Effects	Scale of Effect/Mitigation/Neighbour's Consent/Other Comments
Flora and fauna (including Kiwi Habitat)	<p>The site is currently rural land in rough pasture or a mix of gorse and manuka dominated scrub.</p> <p>It is considered that there is no native flora and fauna, of significance, that will be adversely affected by the proposal.</p> <p>Therefore the effects of the subdivision proposal on flora and fauna are considered to be less than minor.</p>
Landscape and visual effects	<p>The site is not identified in the Operative Far North District Plan maps as an area of Outstanding Landscape, Outstanding Landscape Feature or an area containing an Outstanding Natural Feature.</p> <p>The site has a rolling to steep contour. Lot 1 has an existing shed which is being used as a residence. Both proposed lots have ample room to provide a 30m by 30m building envelope.</p> <p>The site was part of a large Olive Plantation and Subdivision (RC</p>

	<p>1980846), however there were no olive trees planted on this property. The proposed lots are in keeping with the mix of rural and residential lifestyle blocks represented in the Midgley Road environment.</p> <p>Overall it is considered that the proposal will result in no more than a minor adverse effect on the surrounding landscape values.</p>
Effect on Water bodies	<p>This property is divided in two by a small watercourse which forms much of the boundary between the two lots. Currently stormwater, from the access way (Lot 57 DP 205071) and access to the Lot 1 dwelling/shed, drains to this stream. It is proposed that a consent condition, incorporating a buffer zone and engineering design, be imposed to prevent scouring and erosion affecting the stream.</p> <p>Therefore it is considered that the proposal will result in no more than a minor adverse effect on stream, providing the consent condition is imposed.</p>
Stormwater	<p>It is proposed that a consent notice be imposed to ensure that stormwater systems are designed to council standards at the time of building consent.</p> <p>It is considered that a consent condition be imposed requiring drainage and stormwater disposal from the existing access way (Lot 57 DP 205071) to be designed by a suitably qualified engineer, and upgraded to council standards to avoid the severe erosion occurring at present.</p> <p>Therefore it is considered that the proposal will result in no more than a minor adverse effect on stormwater overland flowpaths, and minimal impact on the stream.</p>
Site stability, earthworks, natural and other hazards	<p>The site has a rolling to steep contour.</p> <p>The FNDC Engineer has stated that all earthworks are to be engineer designed and supervised. A consent notice to this effect will be imposed.</p> <p>It is considered that the proposal will not result in any additional adverse effects as a result of subsidence, and therefore that the proposal will have no more than a minor adverse effect on site stability, natural and other hazards, providing the consent condition is imposed.</p>
Amenity/Character	<p>The proposal is in accordance with Council's policies to ensure that the natural and physical resources of the Rural Production zone are managed sustainably.</p> <p>The surrounding environment is olive plantation, and lifestyle blocks. There are many small blocks of less than 10 ha already bordering Midgley Road. Therefore it is considered that the proposal will result in no more than a minor adverse effect on the amenity and character of the area.</p>
Cultural/Heritage	<p>There are no known cultural heritage sites located on the subject property and the property is not noted as a site of significance to Maori on the Revised Proposed District Plan Maps.</p> <p>No comments have been received from iwi and therefore it is assumed that they have no interest in the proposal.</p>
Property Access	<p>Property access is via a shared access way for 5 existing properties.</p> <p>It is proposed to impose a consent condition that Lot 57 DP20507 (legal access) be held as two one-tenth shares by the owners of proposed Lots 1 and 2. DLR has been contacted, and comments regarding the practicality of this are awaited.</p> <p>A further consent condition will require entrances/vehicle crossings to Lots 1 and 2 on the subdivision plan to be formed, surfaced and drained so as to comply with the Council's Standards for rural access.</p> <p>Therefore it is considered that the proposal will result in no more than a minor adverse effect on the environment.</p>
Water Supply	<p>Lot 1 has an existing roof supply to the dwelling. Lot 2 does not require a potable supply as yet, as there is no proposal to site a dwelling on this</p>

	<p>allotment immediately.</p> <p>Any future dwelling, intended to be constructed on Lot 2 which will utilise rainwater as a potable water supply will require the installation of a suitable system at the time of building consent.</p> <p>Both lots have access to the stream for a stock water supply. And a consent condition is proposed to require the owner to provide an on-site water supply for fire fighting purposes.</p>
Lot size	<p>It is proposed that the new Lot 1 will be 4.5 ha and the new Lot 2 will be 4.9 ha.</p> <p>These lots are less than the 20 ha that the Plan anticipates the Rural Production zone to have but in keeping with the subdivisions already consented on Midgley Road, and above the discretionary minimum size of 4 ha.</p> <p>It is considered that the lot sizes are appropriate and will result in no adverse effect on the surrounding rural production environment.</p>
Sewage, energy supply and telecommunication	<p>FNDC engineering report recommends a consent condition that requires that the title to Lot 2 have a consent notice which requires a TP 58 report at the time of the issue of a building consent.</p> <p>Lot 1 contains a shed that is currently being used as a dwelling. It is proposed that a consent condition be imposed which requires that a Building Consent and Certificate of Acceptance be obtained for this dwelling. It is also proposed that a consent notice be imposed which requires that a TP58 report be provided as proof that the sewage system is designed to council standards.</p> <p>Top Energy's requirement for energy supply is nil.</p> <p>Telecom has no issues but requires that the applicant register a Legal Easement for Telecommunications Plant in favour of the Lot owner over the proposed easement A on the submitted Plan.</p> <p>Therefore it is considered that the proposal will result in no more than a minor adverse effect in consideration of sewage, energy supply and telecommunication provided the appropriate conditions are imposed on this consent.</p>

2B. If there are adverse effects, are these effects more than those permitted in the District Plan?

In general adverse effects of this subdivision proposal are considered to be minor. Lot sizes are above the discretionary minimum size of 4 ha, and in keeping with the subdivisions already consented on Midgley Road.

3. Consents of Affected Persons (section 94B of the Act)

Written approvals from all adjoining neighbours have been obtained, therefore it is considered that there are no adversely affected persons.

Has the applicant consulted with iwi?

No consultation with iwi has been undertaken, as no iwi groups are considered to be adversely affected by the proposal.

4. Is limited notification considered appropriate?

Limited notification is not considered appropriate. The proposal is in keeping with the rural nature of the area and therefore a non notified application is

considered appropriate. No parties are identified as being adversely affected by the proposal.

5. Public notification of proposal if requested by applicant or if special circumstances exist

- (i) The applicant has not requested public notification of the proposal.
- (ii) No special circumstances are considered to exist which warrant public notification.

6. Conclusions

- (i) Taking into account the effects of the proposal, the adverse effect on the environment of the activity for which consent is sought will be minor.
- (ii) No written approval has been required as the adverse effects of the proposal on the environment will be minor.
- (iii) Limited notification is not required.
- (iv) Special circumstances requiring notification do not exist.
- (v) The applicant has not requested the public notification of the application.

7. Recommendation:

That for the reasons set out above, this application be processed without notice, pursuant to section 93(1)(b) of the Act.

RESOLUTION

That pursuant to Section 93(1)(b) and Section 94(2) of the Resource Management Act 1991, the Council considers that the Subdivision Consent Application RC-2080526-RMASUB by G M Beckham will be processed without the need to serve notice (non-notified).

The reasons for this resolution are:

- 1. Taking into account the effect of the proposal, the adverse effect on the environment of the activity for which consent is sought will be minor.
- 2. Written approvals from all adjoining neighbours have been obtained.
- 3. Special circumstances requiring notification do not exist.

SIGNED:

Dated: _____

Diane Kaiser
Consultant Planner (Opus International Consultants)

Approved By:



Dated: 24/07/08

Wayne Smith
Team Leader - Resource Consents

(ACTING UNDER DELEGATED AUTHORITY)

CONTENTS

- Application Form
- Application Report
- Appendices
 - (i) Plan of Proposal
 - (ii) Locality Plan
 - (iii) Certificate of Title
 - (iv) Cadastral Plan / Adjoining
Owner's Consents Sort
 - (v) Letters to Utility Operators

APPLICATION REPORT

1. OWNERSHIP NOTE

As in **Appendix (iii)** CT NA 133B/634 is in the ownership of Maurice George & Dorothy Joy Campbell. The same is occupied by David Campbell, son of Maurice & Dorothy. While David has been entrusted with his parent's interests (see his signature on the Plan of Proposal **Appendix (i)**) we will be forwarding Maurice & Dorothy's written consent shortly.

2. SITE INTRODUCTION

The 9.38 ha site is located off Midgley Rd 1.85km from its intersection with SH 10 and has 1/5 share over a Private Access Lot (Lot 57 DP 205071).

This property was part of a large Olive Plantation & Subdivision (Council Ref: RC 1980846) with the Certificates of title issuing 6th August 2001. Although the subject certificate of title (NA 133B/634) has Consent Notice D628531.11 attached to it, (which gives effect to the Standard 'Grove Management Plan' and this was applied throughout this Subdivision) there was no Olive Grove planted on this site.

The site is divided distinctly in two by a small water course running generally in the north-west direction. On the north east side of this water course the covering is mostly teatree scrub and has some clearing/grass areas on the southwestern side of the water course together with a shed which the existing access runs to.

Differences in the geographic slope on the property also coincides with the natural division of the water course. To the northeast of water course it is mapped as only "strongly rolling" (16°-20°) and on the southwest side is mainly mapped as "rolling" (8°-15°) & "strongly rolling" (16°-20°) by the Kaitaia New Zealand Land Resource Inventory Worksheets (NZLRIW). The same was observed on site. While most of the site has been mapped as "strongly rolling" the erosion degree is less than 1% (negligible). For the complete Land Resource Inventory and Land Use Capability Codes and their boundaries refer to the Plan of Proposal. This information has been sourced from the 'Kaitaia' NZLIW.

3. PROPOSAL

It is proposed to subdivide the subject site in half using mainly the natural boundary of the water course. As described above this water course features unique to this site, separating the same into two. A description of the two new sites is as follows:

Lot 1 -	4.5 ha	Includes an existing shed with a clear area (mainly in grass) and is lined with tea tree parallel to the water course. Access is via a strip of land 7.5m wide over the existing formation to the shed.
Lot 2 -	4.9 ha	Is almost entirely covered with tea tree scrub and has a track formed (not metalled) from the end of the private access Lot 57, across the stream to a house site.

For more detail, see Plan of Proposal **Appendix (i)**.

4. DISTRICT PLAN PROVISIONS

- Chapter 13 Subdivision

13.7.2 ALLOTMENT SIZES & DIMENSIONS

- Rural Production Zone

Both lots 1 & 2 are within Discretionary Activity Status threshold of over 4 ha as stated in **Table 7 (1)** under **Section 13.7.2.1** of Council's **Partly Operative District Plan (PODP)**.

13.7.2.2 Allotment Dimensions

Lots 1 & 2 can easily accommodate a building envelope of 30x30m without encroaching into the permitted activity boundary set backs from the rural production zone.

13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES

13.9.2.2 Management Plan

In this instance a Management Plan is not considered necessary, - both Lots 1 & 2 are in excess of 4 ha as provided for by **Subsection 13.9.2.2 (c)(i)**.

13.7.3 OTHER MATTERS TO BE TAKEN INTO ACCOUNT

13.7.3.1 Property Access

Access to the subject site is existing over Lot 57 DP 205071 and has a 1/5 share of the same. The new Lots 1 & 2 will follow their parent Lot via Amalgamation Condition stating the same will acquire 2/10 shares, - see Plan of Proposal, Appendix (i).

13.7.3.2 Natural & other Hazards

There are no known hazards outlined in (i)-(ix) under **Subsection (a)** of the above section. As to (x) - Fire Hazard our clients proposed clearing (as described in **13.7.3.9** below) will effectively mitigate this hazard.

13.7.3.3 Water Supply

Roof collection and storage tank supply is possible for both Lots 1 & 2 for future dwellings.

13.7.3.4 Stormwater Disposal

Stormwater control is no issue. All access stormwater from future dwellings can be safely directed to on site existing water courses, both centrally and to the west.

13.7.3.5 Sanitary Sewer

Given the proposed site areas of over 4 ha for Lots 1 & 2 it is considered there is ample site area for a septic tank/effluent trench disposal system with those Lots boundaries.

13.7.3.6 Energy Supply & 13.7.3.7 Telecommunications

While both Topenergy & Telecom have been written to asking for their requirements, both Electricity & Telecommunications are in use at the existing shed on Lot 1.

13.7.3.8 Easements For Any Purpose

Proposed Easement 'A' is to be created for the purposes of Right of Way, Electricity & Telecommunications and is over Lot 1 in favour of Lot 2.

13.7.3.9 Preservation of Heritage Resources, Vegetation, Fauna and Landscape, and Land Set Aside for Conservation Purposes

There are no sites, features or objects on the subject property outlined in **Subsections (a)**

– (f) of this section in the **PODP**, nor are there any significant natural areas or known Kiwi habitat areas.

Under Rule 12.2.6.2 of the **PODP** our clients would like to clear up to 2 ha of the existing tea tree scrub from Lot 2. This would tidy the site up so that it is more in conformity with the surrounding existing olive grove environment while, at the same time would mitigate any fire hazard with the new house site. By leaving the steeper gullies of this site in their existing tea tree scrub cover, this is a permitted activity under **Rule 12.2.6.2 (a)**.

13.7.3.10 Access to Reserves and Waterways

Not applicable.

13.7.3.11 Land Use Incompatibility

It is considered that the proposed subdivision is compatible with its existing environment. There are 5 neighbouring allotments that have area contiguous with or less than those that are proposed. It is also understood that the 25 ha allotment to the north is currently under application to be subdivided.

Accordingly there is no 'Reverse Land Use' issue.

13.7.3.12 Proximity to Airports

Not applicable.

13.8 RESTRICTED DISCRETIONARY ACTIVITIES

This subdivision has the traits of a Restricted Discretionary Activity as under **Rule 13.8.1 (b)**, only that the subject site did not exist at or prior to 28 April 2000. It is then appropriate that we briefly consider the application of Council's restricted discretion to this proposal.

- Effects on the natural character of the coastal environment for proposed lots which are in the coastal environment.
- Effects of the subdivision under **13.8.1 (b)** (referred to above) within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land:
- Effects on areas of significant indigenous flora and significant habitats of indigenous fauna:
- The mitigation of fire hazards for health and safety of residents.

The above bullet points are answered respectively in the following:

- Although the General Coastal Zone is immediately to the west of the subject site, the neighbouring allotments that this Zone applies to are well below 4 ha in area. It is considered that this subdivision (although with the Rural Production Zone) is consistent with the level of intensity of its neighbouring allotments in the General Coastal Zone.
- In this situation it is therefore considered that any effects on the natural character of the coastal environment, by comparison do not exceed those of the neighbouring allotments.
- The subject site
 - is not within 500m of land administered by the Dept. of Conservation.
 - has no area of significant indigenous flora and significant habitats of indigenous fauna and
 - with a clearance of 2 ha of the tea tree scrub any Fire Hazard for Lot 2 will be

mitigated.

5. REGIONAL PLAN PROVISIONS

This proposal is not in conflict with any rule of the Regional Policy Statement or Regional Plan and Variations.

6. RESOURCE MANAGEMENT ACT 1991

5.1 SECTIONS 5-8

It is considered that this application is in accordance with **Sections 5-8** - the Purpose & Principles of the Act.

5.2 SECTION 93(1)(b)

Under **Sec 93(1)(b)** Council need not publicly notify an application for a Resource Consent if it is satisfied that the adverse effects of the activity on the environment will be negligible. The following Assessment of Environmental Effects confirms this.

5.3 SECTION 94(2)

Pursuant to **Sec 94(2)** we are seeking the written approval of the adjoining owners together with those who share the ownership of the access Lot 57.

5.4 SECTION 104 B

For the purposes of **Sec 104 B** it is considered that Council can grant consent to this application as it has met the statutory condition under **Sec. 104 D (1)(a)** - adverse effects are negligible.

5.5 SECTION 106(1)

There is no known situation that **Sec 106(1)** would apply to.

7. ASSESSMENT OF ENVIRONMENTAL EFFECTS

7.1 EXISTING RURAL ENVIRONMENT

The predominant influence of the existing Rural Environment has been set by the olive grove plantations to which the subject site is somewhat inferior.

It is understood that consent is currently being sort to subdivide the 25 ha site (Lot 3 DP 362675) to the north.

It is therefore considered that the proposed subdivision, as contiguous in area and Residential Intensities (both existing & sort) will be in accord with the existing rural environment.

7.2 CONSULTATION

Potentially affected parties consents are being sort as outlined in **Part 5.3** above.

7.3 NATURAL CHARACTER

The Natural Character of the land is not significant. This subdivision has no effect on the adjoining General Coastal Zone as the areas of these neighbouring sites are less.

7.4 ECOLOGICAL

The subject site is not sensitive ecologically.

7.5 LANDSCAPE, CULTURAL & HERITAGE

The land is not part of an Outstanding Landscape Unit nor does it have any significance culturally or historically.

7.6 AMENITY

This subdivision application does not impose any impact on the subject site's existing amenity, nor does it on any other site in it's locality. Given the opportunity for further occupation, together with the minor clearing proposed, it is considered that amenity can only improve.

7.7 TRAFFIC & ACCESS

Access for the new Lots will be over Lot 57 DP 205071 as outlined **Parts 1 & 4: 13.7.3.1 Property Access** above, for which the shareholder's consents are being sort. The effect of an increase in traffic on Midgley Road (10pvd) is considered negligible.

7.8 SERVICES

The existing site has electricity & telecommunications services at the west end of the access Lot 57. While we await responses from Top Energy & Telecom, we anticipate these services will be available for the additional site.

The disposal of effluent & stormwater can be achieved also without adverse effects within the allotment size proposed.

7.9 ENGINEERING ISSUES

There is no known engineering issue that requires specialist input.

7.10 CUMULATIVE EFFECT

It is considered that Cumulative effects associated with this proposal is negligible. The proposal is in accord with the level of intensity of the existing development in this locality.

7.11 SUMMARY OF EFFECTS

This assessment of environmental effects relating to this subdivision shows that overall its effects are negligible.

8. CONCLUSION

This Application for Subdivision is to divide the existing Lot 4 DP 205071 in approximately half and this produces only one additional site, - this is a Discretionary Subdivision Activity.

However, it is considered that the physical characteristics of the site are sufficiently unique as outlined in **Parts 2 & 3** above so as not to create any precedent effects.

As the Adverse Effects of this subdivision are considered to be negligible we look forward to Councils favourable decision issued under delegated authority.

Plan of Proposal

Locality Plan



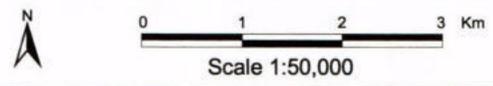
- Zone**
- Conservation
 - Coastal Living
 - Commercial
 - Coastal Residential
 - General Coastal
 - Industrial
 - Lakes and Rivers
 - Minerals
 - Residential
 - Recreational Activities
 - Rural Living
 - Rural Production
 - Road
 - Coastal Marine
 - Designations
 - Cemetery
 - Historic Site
 - Notable Tree
 - Heritage Precinct

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

11	12
14	15
19	20

Map Index

Map 15



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

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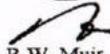
Certificate of Title



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier NA133B/634
Land Registration District North Auckland
Date Issued 06 August 2001

Prior References

NA509/252 NA5D/1480

Estate Fee Simple
Area 9.3807 hectares more or less
Legal Description Lot 4 Deposited Plan 205071

Proprietors

Maurice George Campbell and Dorothy Joy Campbell

Estate Fee Simple - 1/5 share
Area 4902 square metres more or less
Legal Description Lot 57 Deposited Plan 205071

Proprietors

Maurice George Campbell and Dorothy Joy Campbell

Interests

Subject to Section 241(2) Resource Management Act 1991

Subject to Section 59 Land Act 1948 (affects part formerly CT NA5D/1480)

D628531.11 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 6.8.2001 at 2.18 pm (affects Lot 4 DP 205071)

Subject to an electricity transmission right (in gross) in favour of Top Energy Limited created by Transfer D628531.14 - 6.8.2001 at 2.18 pm (affects Lot 57 DP 205071)

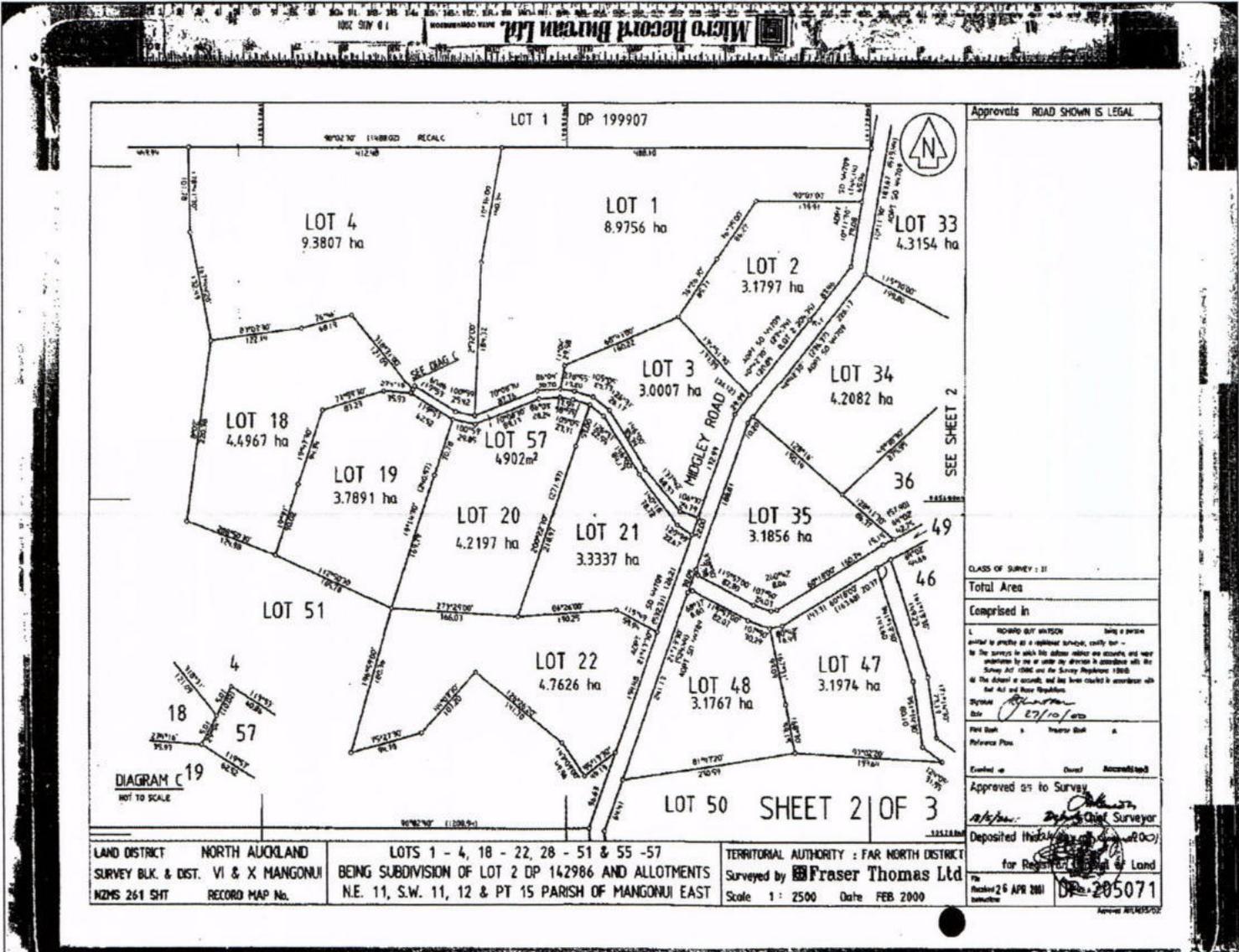
The easements created by Transfer D628531.14 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Transfer 5996465.2 - 7.5.2004 at 9:00 am

5996465.3 Mortgage to Ocean View Olives Limited - 7.5.2004 at 9:00 am

Identifier

NA133B/634



Approvals ROAD SHOWN IS LEGAL

CLASS OF SURVEY : II
Total Area

Comprised in

L. MICHAEL GUY WATSON being a person entitled to practice as a registered surveyor, certify that -
to the survey in which his address appears on records, and upon application by me or under my direction in accordance with the Survey Act 1980 and the Survey Regulations 1980
all the above is correct, and has been checked in accordance with Part 4(1) and these Regulations.
Signature: *[Signature]*
Date: 27/10/2000

Plan Book: *[Blank]*
Reference Plan: *[Blank]*

Examined by: *[Blank]* *[Blank]* *[Blank]*

Approved as to Survey: *[Signature]*
Registered Professional Surveyor

Deposited this *[Signature]* 2000
for Registration in the Office of Land

File Number: 26 APR 2001
205071

LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. VI & X MANGONUI
NZMS 261 SHT RECORD MAP No.

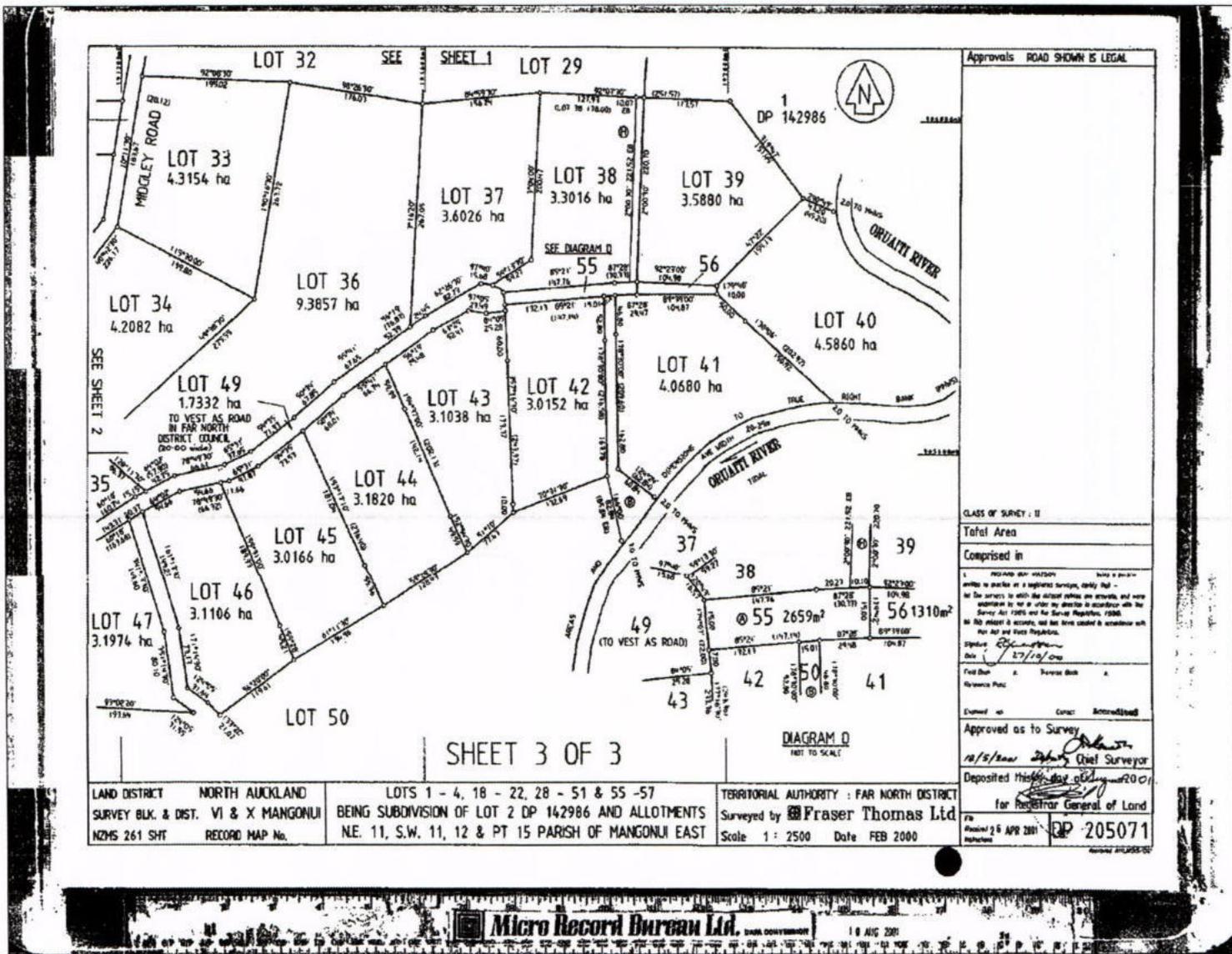
LOTS 1 - 4, 18 - 22, 28 - 51 & 55 - 57
BEING SUBDIVISION OF LOT 2 DP 142986 AND ALLOTMENTS
N.E. 11, S.W. 11, 12 & PT 15 PARISH OF MANGONUI EAST

TERRITORIAL AUTHORITY : FAR NORTH DISTRICT
Surveyed by Fraser Thomas Ltd
Scale 1 : 2500 Date FEB 2000

Transaction Id
Client Reference lionel

Search Copy Dated 10/12/07 11:00 am, Page 3 of 4
Registers Only

Identifier NA133B/634



Approvals ROAD SHOWN IS LEGAL

CLASS OF SURVEY: II

Total Area

Comprised in

1. 2659m² (LOT 55) 561310m² (LOT 39)

Signature: *Richard [unclear]*
 Date: 27/10/00
 Field Book: A
 Reference Plan:

Examined on: [unclear] Correct: Antecedent

Approved as to Survey: 18/5/2001 *[Signature]* Chief Surveyor

Deposited this day of [unclear] 2001
 for Registrar General of Land

DP 205071

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. VI & X MANGONUI
 NZMS 261 SHT RECORD MAP No.

LOTS 1 - 4, 18 - 22, 28 - 51 & 55 - 57
 BEING SUBDIVISION OF LOT 2 DP 142986 AND ALLOTMENTS
 NE. 11, S.W. 11, 12 & PT 15 PARISH OF MANGONUI EAST

TERRITORIAL AUTHORITY: FAR NORTH DISTRICT
 Surveyed by Fraser Thomas Ltd
 Scale 1: 2500 Date FEB 2000

Micro Record Bureau Ltd. 18 AUG 2001

Transaction Id
 Client Reference Lionel

Search Copy Dated 10/12/07 11:00 am, Page 4 of 4
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