



<b>Office Use Only</b> Application Number:
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**APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT**

**(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))**

**(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)**

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

**1. Pre-Lodgement Meeting**

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

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

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

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

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

**4. Applicant Details:**

Name/s: Bretton Hodgson

Electronic Address for Service (E-mail): [REDACTED]

Phone Numbers: [REDACTED]

Postal Address: 960 Church Road, Kaingaroa  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

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

Name/s: Nina Pivac (Tohu Consulting Limited)

Electronic Address for Service (E-mail): nina@tohuconsulting.nz

Phone Numbers: Work: 0210614725 Home: \_\_\_\_\_

Postal Address: 39A Commerce Street Kaitaia 0410  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

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

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

Name/s: Bretton Hodgson

Property Address/  
Location: 960 Church Road, Kaingaroa

**7. Application Site Details:**

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

Site Address/  
Location: 960 Church Road, Kaingaroa

Legal Description: Section 1 SO 68851 (NA115D/226)  
Pt Allot 28 PSH of Mangatete, Western Pt Allot 46 PSH of  
Mangatete and North Eastern Pt Allot 47 PSH of Mangatete (NA75B/226) Val Number: \_\_\_\_\_

Certificate of Title: \_\_\_\_\_  
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 contact applicant to arrange site visit

**8. Description of the Proposal:**

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

To undertake a controlled boundary adjustment in the Rural Production Zone. See attached AEE for full description

of proposal.

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

**9. Would you like to request Public Notification**

Yes/No

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

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

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

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

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

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).  yes  no  don't know

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

**12. Assessment of Environmental Effects:**

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

**Please attach your AEE to this application.**

**13. Billing Details:**

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

Name/s: (please write all names in full) \_\_\_\_\_

Email: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_

Phone Numbers:      Work: \_\_\_\_\_      Home: 021943963      Fax: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ (please print)

Signature: \_\_\_\_\_ (signature of bill payer – **mandatory**)      Date: 26/10/2023

## 14. Important Information:

### Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

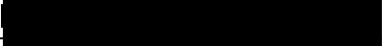
### Fast-track application

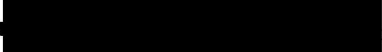
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track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

### Privacy Information:

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

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

Name:  (please print)

Signature:  (signature)

Date: 26/10/2023

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

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

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

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

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

**UNBOUND**

**SINGLE SIDED**

**NO LARGER THAN A3 in SIZE**





## BOUNDARY ADJUSTMENT RESOURCE CONSENT APPLICATION

960 CHURCH ROAD, KAINGAROA  
(NA2098/37 and NA75B/226)

### ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:  
BRETTON HODGSON

7 November 2023  
REV A



## Table of Contents

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### APPENDICES:

Appendix A – Scheme Plan

Appendix B – Certificates of Title

Appendix C – Previous Council Approvals

## 1.0 THE APPLICANT AND PROPERTY DETAILS

<b>To:</b>	Far North District Council
<b>Site address:</b>	960 Church Road, Kaingaroa
<b>Applicant's name:</b>	Bretton Hodgson
<b>Address for service:</b>	Tohu Consulting Limited Attn: Nina Pivac 39a Commerce Street Kaitaia 0410
<b>Legal description:</b>	Section 1 SO 68851 (NA115D/226) Pt Allot 28 PSH of Mangatete, Western Pt Allot 46 PSH of Mangatete and North Eastern Pt Allot 47 PSH of Mangatete (NA75B/226)
<b>Site area:</b>	71.8598 ha (total)
<b>Site owner:</b>	Bretton Douglas Hodgson
<b>Operative District Plan zoning:</b>	Rural Production Zone
<b>Operative District Plan overlays/resource areas:</b>	Partially flood susceptible Kiwi Concentration
<b>Proposed District Plan zoning:</b>	Rural Production
<b>Operative District Plan overlays/resource areas:</b>	River Flood Hazard – 100 Year ARI River Flood Hazard – 10 Year ARI
<b>Brief description of proposal:</b>	To undertake a subdivision of (NA115D/226)and (NA75B/226) by way of boundary adjustment and amalgamation in the Rural Production Zone. The proposed subdivision will result in the following allotment areas:  Lot 1 – 2.0478ha (contains existing dwelling) Lot 2 – 29.7460ha
<b>Summary of reasons for consent:</b>	Overall, resource consent is required as a <b>Controlled Activity</b> in accordance with Rules 13.7.1 of the Far North District Plan.

We attach an assessment of environmental effects that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

### AUTHOR



**Nina Pivac**

Director | BAppSC | PGDipPlan | Assoc. NZPI

**Date: 7 November 2023**

## 2.0 PROPOSAL

The applicant, Bretton Hodgson, proposes to undertake a subdivision by way of boundary adjustment and amalgamation in the Rural Production Zone. A copy of the scheme plan has been provided in **Appendix A**. The proposal will result in the following allotments:

- Lot 1 – 2.0478ha (contains existing dwelling)
- Lot 2 – 29.7460ha

It is noted that the subject site contains two PNA sites as per Figure 1 below. The applicant therefore proposes Land Covenants A and B for the purpose of protecting existing indigenous vegetation on the property.



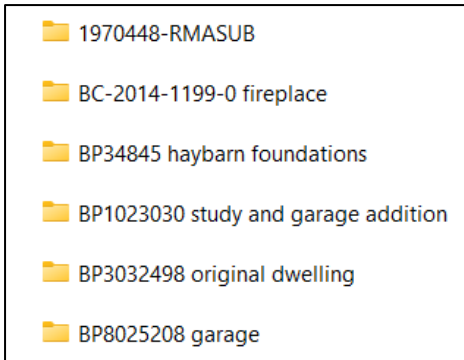
*Figure 1: Current PNA sites (Far North Maps)*

Overall, the proposal has been assessed as a **Controlled Activity** in accordance with **Controlled Activity** in accordance with Rule 13.7.1 Boundary Adjustments: All Zones Except the Recreational Activities and Conservation Zones, under the Far North District Plan.

Proposed Lot 1 contains an existing dwelling and associated services, which currently sit over the existing legal shared boundary of NA115D/226 and NA75B/226 i.e. over two titles. The purpose of the boundary adjustment is to enclose all existing built development and services within one title, and separate this from the balance lot (Lot 2) which will remain in productive use.

For the purpose of clarification, NA115D/226 was previously part of the Church Road public road reserve. The existing dwelling, sheds, and associated services were subsequently built across this title in error, despite all relevant Council approvals being obtained (see Figure 2). An agreement was reached between the applicant and Council, whereby a road stop had been placed on that portion of Church Road containing existing built development, and was placed into a separate title now owned by the applicant.





**Figure 2: Previous Council Approvals**

The application does not propose any additional development.

The following Assessment of Environmental Effects (AEE) has been prepared in accordance with the requirements of Section 88 of and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual or potential effects the proposal may have on the environment.

### 3.0 SITE CONTEXT

The subject site is situated at 960 Church Road, Kaingaroa, held within two titles legally described as Section 1 SO 68851 (NA115D/226) and Pt Allot 28 PSH of Mangatete, Western Pt Allot 46 PSH of Mangatete and North Eastern Pt Allot 47 PSH of Mangatete (NA75B/226). A copy of the Certificate of Titles (CT) are attached as **Appendix B**.

NA115D/226 has a current site area of 7730m<sup>2</sup> and contains a swimming pool and a formed driveway. NA75B/226 has a current site area of 71.0868ha and contains an existing dwelling, sheds, and associated services as previously approved by Council. The balance lot is in productive use.

The use of the subject site will remain unchanged, access arrangements will also remain unchanged. To this end, it is not expected that any upgrades to the existing driveway will be required in this instance.

The site is located in the Rural Production Zone and is subject to the Kiwi Concentration overlay as per Far North Maps. NRC have also mapped a small portion of the site as flood susceptible, however, all existing built development is located outside of the flood extent.

As per Figure 1 above, there are two PNA sites located on the property which the applicant has offered to protect by way of land covenant, as per the scheme plan.

The surrounding environment is largely rural in character, comprising large landholdings interspersed with smaller rural-lifestyle blocks.

Given the use of the site will remain unchanged, and the degree of non-compliance will not increase, it is considered that any adverse effect as a result of the proposal will be less than minor.

## 4.0 DISTRICT PLAN RULES ASSESSMENT

### SUBDIVISION:

**Table 1 – Controlled Activity standards as outlined in Rule 13.7.1 Boundary adjustments: all zones except the Recreational and Conservation Zones.**

<b>Criteria</b>	<b>Comment</b>
(a) There is no change in the number and location of any access to the lots involved; and	The subject site is currently accessed via an existing formed driveway off Church Road. Access arrangements will remain unchanged.
(b) There is no increase in the number of certificates of title; and	The application site consists of two titles at present which will remain unchanged.
(c) The area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and	<p>NA115D/226 currently has a site area of 7730m<sup>2</sup> which is unable to comply with the controlled activity standards for minimum allotment sizes. However, as a result of the proposed boundary adjustment and amalgamation, proposed Lot 1 will increase in size to 2.0478ha. The degree of non-compliance where it relates to this lot will therefore not increase.</p> <p>Proposed Lot 2 is able to comply with the controlled activity minimum lot size of 20ha.</p> <p>The scale of effects will not increase as a result of the proposal. It is therefore considered that the degree of non-compliance will not materially change, and that the proposed boundary adjustment is able to meet this criteria.</p>
(d) The area affected by the boundary adjustment is within or contiguous with the area of the original lots; and	The subject sites are adjoining and contiguous. This will remain unchanged.
(e) All boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and	Proposed Lots 1 and 2 contain existing built development as previously approved by Council. The purpose of the boundary adjustment is to enclose all existing built development on proposed Lot 1 entirely within the new boundaries.

<b>Criteria</b>	<b>Comment</b>
	The land-use assessment in Table 3 below demonstrates that the site is able to comply with all relevant land use rules. No further physical works are proposed as part of this application.
(f) All existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.	All all existing on-site drainage systems will be wholly contained within the new boundaries.

**Table 2 – Rule 13.7.3 Controlled (subdivision) activities: other matters to be taken into account**

<b>Criteria</b>	<b>Comment</b>
13.7.3.1 Property Access	Access is currently gained via an existing formed driveway off Church Road. The driveway has been formed to a good standard. Access arrangements will remain unchanged.
13.7.3.2 Natural and Other Hazards	The development of the proposed allotments following subdivision would not exacerbate or worsen any identified natural hazards. No physical works are proposed. All future development will be managed in accordance with FNDP standards.
13.7.3.3 Water Supply	Proposed Lot 1 achieves adequate water supply via a series of water tanks for potable and firefighting purposes (including a swimming pool). Proposed Lot 2 is vacant and able to accommodate adequate water supply.
13.7.3.4 Stormwater Disposal	Stormwater management within Lot 1 has been dealt with in previous approvals. Impermeable surfaces will not increase as a result of the boundary adjustment. Lot 2 will remain vacant.
13.7.3.5 Sanitary Sewage Disposal	Lot 1 contains existing effluent disposal systems as previously approved by Council. The system is operating adequately, and will be contained wholly within the new boundaries.
13.7.3.6 Energy Supply	Proposed Lot 1 is fully serviced in terms of electricity. Proposed Lot 2 has the ability to connect. However, additional connections are not a requirement in the Rural Production Zone.
13.7.3.7 Telecommunications	Proposed Lot 1 is fully serviced in terms of telecommunications. Proposed Lot 2 has the ability to connect. However, additional connections are not a requirement in the Rural Production Zone.

<b>Criteria</b>	<b>Comment</b>
13.7.3.8 Easements for any purpose	No easements are required in this instance.
13.7.3.9 Preservation of heritage resources, vegetation, fauna and landscape and land set aside for conservation purposes.	As discussed earlier in the report, the subject site contains two PNA sites which the applicant has offered to protect by way of land covenant. See areas marked A and B on the proposed scheme plan.
13.7.3.10 Access to reserves and waterways	Public access to reserves and waterways will not be affected by the proposal.
13.7.3.11 Land use compatibility	Proposed Lot 1 is in residential use while proposed Lot 2 is in productive use. The use of the subject site will remain unchanged.
13.7.3.12 Proximity to airports	Not applicable

**Table 3 – Rural Production Zone – land-use performance standards**

<b>Performance Standard</b>	<b>Comment</b>
<b>8.6.5.1.1 Residential Intensity</b>	<p>Proposed Lot 1 contains a single residential dwelling. Proposed Lot 2 is vacant. The use of the site will remain unchanged as a result of the boundary adjustment.</p> <p>Further, the boundary adjustment will not result in additional development rights.</p> <p><b>PA</b></p>
<b>8.6.5.1.2 Sunlight</b>	<p>All existing buildings are clear of the proposed site boundaries and would comply with the recession plane requirements of this rule.</p> <p><b>PA</b></p>
<b>8.6.5.1.3 Stormwater Management</b>	<p>Proposed Lot 1 is increasing in size, and will remain compliant with the permitted threshold of 15% for impermeable surface coverage. Proposed Lot 2 will remain vacant.</p> <p><b>PA</b></p>
<b>8.6.5.1.4 Setback from boundaries</b>	<p>All existing buildings are clear of proposed site boundaries.</p>



<b>Performance Standard</b>	<b>Comment</b>
	<b>PA</b>
<b>8.6.5.1.5 Transportation</b>	Existing access and parking is formed to an adequate standard. The proposed boundary adjustment will not result in additional traffic generation.  <b>PA</b>
<b>8.6.5.1.6 Keeping of Animals</b>	Not applicable
<b>8.6.5.1.7 Noise</b>	Proposed Lot 1 is in residential use, while proposed Lot 2 is in productive use. The use of the site will remain unchanged.  <b>PA</b>
<b>8.6.5.1.8 Building Height</b>	Any new buildings would be subject to building height controls.  <b>PA</b>
<b>8.6.5.1.8 Building Coverage</b>	All existing built development within Lot 1 will remain compliant with the maximum RPZ of 12.5% gross site area coverage.  <b>PA</b>
<b>8.6.5.1.11 Scale of Activities</b>	Not applicable
<b>8.6.5.1.12 Temporary Activities</b>	Not applicable

Overall, the proposal requires resource consent as a **Controlled Activity** under the Far North District Plan.

## 5.0 STATUTORY CONSIDERATIONS

### NES CONTAMINATED SOILS (NESCS)

All applications that involve subdivision, or an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the NESCS. The regulation sets out the requirements for

considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed land use.

Based on a search of Council records and historic aerial images, along with discussions with the applicants who have owned the property for generations, there is no evidence to suggest that a HAIL activity has been undertaken on the subject site. Therefore, no further assessment is required under the NES Contaminated Soils.

### **NES FRESHWATER (NESFW)**

A review of aerial images, including NRC's wetland maps, reveal no evidence to suggest that there are any wet areas that may be subject to the NES Freshwater provisions. Therefore, no further assessment is required under the NES Freshwater.

### **NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPSHPL)**

As per Far North Maps, the subject site contains soils classed as '6e 1' which are not considered as highly productive under the NPSHPL. The NPSHPL is therefore not relevant to this application.

### **NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY (NPS-IB)**

As discussed earlier in the report, the subject site contains two PNA sites both of which the applicant has offered to protect by way of land covenants, as per the attached scheme plan. The proposed development will not result in any loss of indigenous vegetation or fauna, and is considered to be consistent with the relevant objectives and policies of the NPS-IB.

### **NEW ZEALAND COASTAL POLICY STATEMENT**

The New Zealand Coastal Policy Statement is not relevant to this application.

### **OPERATIVE FAR NORTH DISTRICT PLAN**

Relevant ODP objectives and policies are those contained within the subdivision, transportation, Rural Environment and Rural Production Zone chapters. As a controlled activity, the proposed activity is considered to be consistent with all relevant objectives and policies of the Far North District Plan.

### **PROPOSED FAR NORTH DISTRICT PLAN**

As of Monday 4 September 2023, the further submission period on the PDP has closed. However, Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, the application shall only 'have regard to' the relevant objectives and policies in the PDP.

Relevant objectives and policies in the PDP are contained within the Subdivision and Rural Production Chapters. Based on the AEE, it is considered that the proposal is largely consistent with the anticipated outcome of the relevant objectives and policies, particularly the following:

- SUB-01
- SUB-P1
- SUB-P3
- SUB-P8
- SUB-P11
- RPROZ-01 to RPROZ-04
- RPROZ-P1 to RPROZ-P7

## 6.0 NOTIFICATION

S95A of the RMA determines circumstances when public or limited notification of an application may be appropriate. Section 95A sets out a series of steps for determining public notification. These include:

- *Step 1* – Mandatory public notification in certain circumstances. In respect of this application, the applicant is not seeking public notification, nor is it subject to a mandatory notification requirement.
- *Step 2* – Public notification precluded in certain circumstances. The proposal is a controlled activity. Public notification is therefore precluded.

Section 95b sets out a series of steps for determining limited notification. These include:

- *Step 1* – certain affected groups and affected persons must be notified. These include affected customary rights groups or marine title groups (of which there are none relating to this application). Affected groups and persons may also include owners of adjacent land subject to statutory acknowledgement if that person is affected in accordance with s95E. There are no groups or affected persons that must be notified with this application.
- *Step 2* – limited notification precluded in certain circumstances. These include any rule or national environmental standard that precludes limited notification, or the activity is solely for a controlled activity or a prescribed activity. The proposed boundary adjustment is a controlled activity. Limited notification is therefore precluded.

In respect of this application, an assessment of effects on the environment has concluded that in all potential effects it can be concluded that adverse effects are less than minor.

Section 95C relates to the public notification after a request for further information which does not apply to this application.

Section 95D provides the basis for determining notification under Section 95A(8)(b) if adverse effects are likely to be more than minor. This assessment concludes that potential adverse effects arising from this proposal would not be more than minor.

## 7.0 OVERALL CONCLUSION

This application seeks resource consent to undertake a controlled boundary adjustment between NA115D/226 and NA75B/226 located within the Rural Production Zone.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be no more than minor and can be managed in terms of appropriate conditions of consent.

As a controlled activity, the proposal would not be contrary to any relevant Plan objective or policy.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that the application for resource consent can be granted on a non-notified basis.

### AUTHOR



**Nina Pivac**

Director | BAppSC | PGDipPlan | Assoc. NZPI

**Date: 7 November 2023**



## Appendix A – Scheme Plan



Pt Allot NE47  
PSH of Mangatete

**LAND COVENANTS**  
Areas shown A & B hereon are to be subject to a Land Covenant (Shrubland and Bush Protection)

**AMALGAMATION COVENANT**  
That Lot 2 Hereon and Pt Allotment NE47 & Allotment W46 Parish of Mangatete be held in the same Record of Title

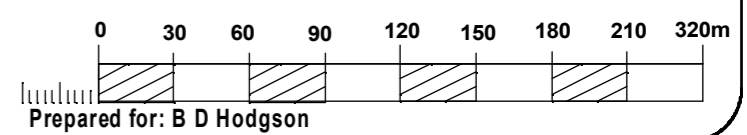
THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

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

Local Authority: Far North District Council

Total Area: 31.9568ha CT  
Comprised in: NA 115D/226 & NA75B/226 (Ltd)



**WILLIAMS AND KING**  
Registered Land Surveyors, Planners & Land Development Consultants  
Ph: (09) 407 6030 27 Hobson Ave  
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

**Proposed Subdivision of Section 1 SO 68851 and Pt Allotment 28, PSH of Mangatete**  
By way of Boundary Adjustment & Amalgamation

Survey	Name	Date	ORIGINAL SCALE	SHEET SIZE
Design				
Drawn	W&K	Oct 2023	1:4000	A3
Rev				

**24234**

## Appendix B – Certificates of Title



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Limited as to Parcels**



**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA75B/226  
**Land Registration District** North Auckland  
**Date Issued** 21 April 1989

**Prior References**  
NA536/27

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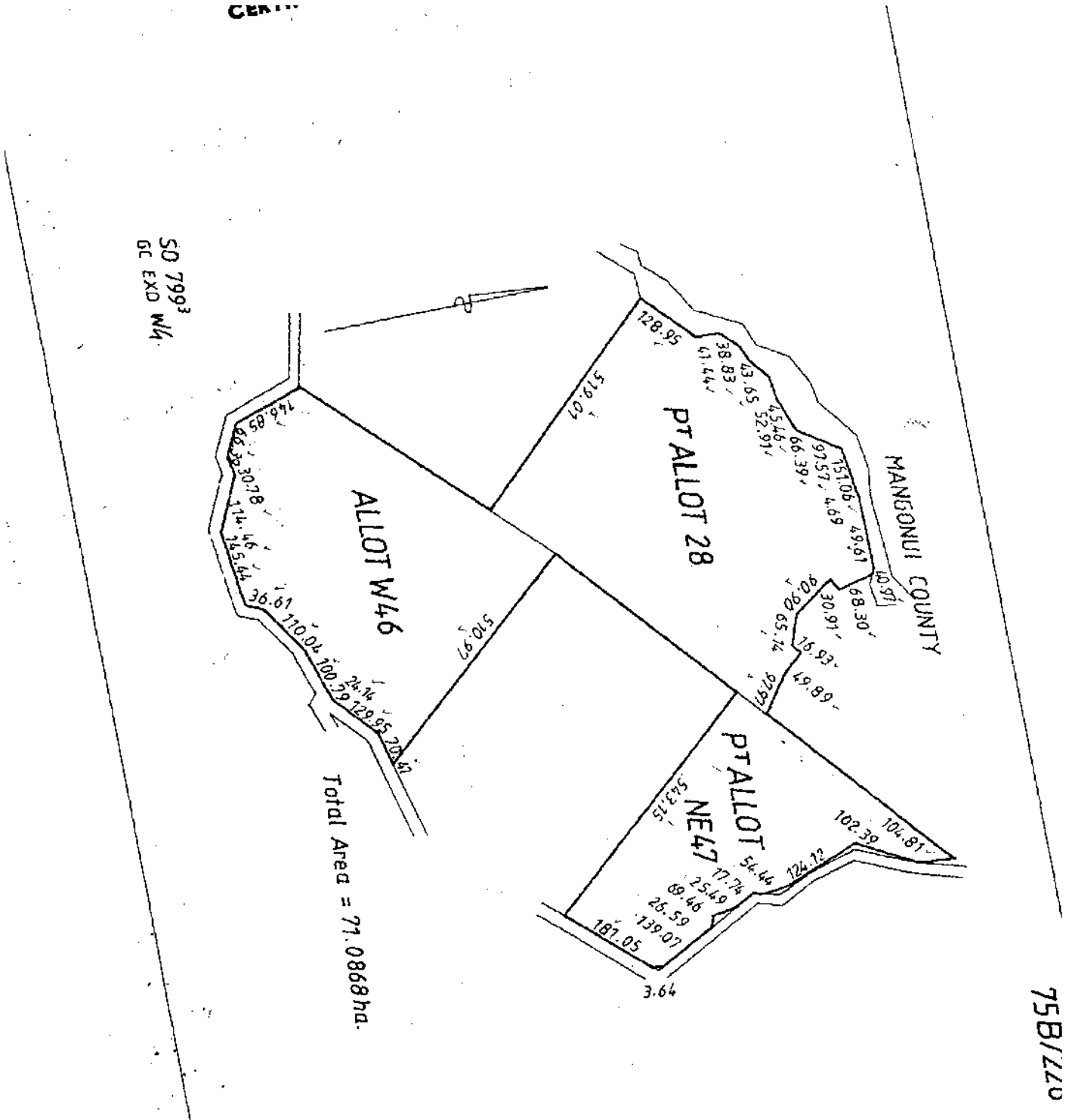
**Estate** Fee Simple  
**Area** 71.0868 hectares more or less  
**Legal Description** Part Allotment 28 Parish of Mangatete,  
Western Portion Allotment 46 Parish of  
Mangatete and North Eastern Portion  
Allotment 47 Parish of Mangatete

**Registered Owners**  
Bretton Douglas Hodgson

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**Interests**  
9356045.2 Mortgage to Westpac New Zealand Limited - 5.4.2013 at 1:34 pm

CERTIFICATE





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

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **NA115D/226**  
**Land Registration District** **North Auckland**  
**Date Issued** 10 October 1997

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**Estate** Fee Simple  
**Area** 7730 square metres more or less  
**Legal Description** Section 1 Survey Office Plan 68851  
**Registered Owners**  
Bretton Douglas Hodgson

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**Interests**



**Approvals**

Road to be Stopped  
 Shown: Plots 28  
 (A) Mangakē  
 Area: 7730 m<sup>2</sup>

is stopped pursuant to Section 322 (1) (a) Land Government Act 1974 and the Land Resource (New Zealand) Act 1982.  
 Deputy Chief Surveyor: [Signature] 1/10/1998

Total Area: 7730 m<sup>2</sup>  
 Comprised in: [Blank]

Deputy Chief Surveyor: [Signature]  
 Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 32 of the Survey Act 1982. hereby certify that this plan has been made from a survey conducted in accordance with the Survey Regulations 1982 or any regulations made in substitution thereof.

Field Book: [Blank]  
 Reference Plan: [Blank]  
 Licensed Surveyor: [Signature]  
 Approved as to Survey: [Signature]  
 Deputy Chief Surveyor: [Signature]  
 Deposited this: 19 day of 1998

Field Book: [Blank]  
 Reference Plan: [Blank]  
 Licensed Surveyor: [Signature]  
 Approved as to Survey: [Signature]  
 Deputy Chief Surveyor: [Signature]  
 Deposited this: 19 day of 1998

District Land Registrar: [Signature]  
 SO 68851

LAND DISTRICT North Auckland  
 SURVEY BLK. 8 DIST. 11 Tokai SQ.  
 NZMS 261 SH. 804 RECORD MAP No. 3-3

TERRITORIAL AUTHORITY For North District  
 Surveyed by D.B. von Schurmeier  
 Scale 1:1500 Date October 1998

ROAD TO BE STOPPED

7730 m<sup>2</sup>  
 Pt. Alloc. 28  
 S.O. 799  
 S.D. Mangakē  
 1/10/1998

168750E  
 168750N  
 168750E  
 168750N

DR 1166/4

Church

Road

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

CENTIMETRES

10 OCT 1998

## **Appendix C – Previous Council Approvals**

**RECORD OF DECISION ON  
RESOURCE CONSENT APPLICATIONS**

**Participants:**

<u>GFP</u>	<u>                    </u>
<u>PJK</u>	<u>JRS</u>
<u>BIB</u>	<u>                    </u>

**Decision Date:**

11 February 1997

**RC Number :** 1970442

**Val Number :** 20 - 662 (13 - 662)

**Lodged :** 25 October 1996

**Received :** 29 October 1996

**Applicant :** Bretton Douglas Hodgson

**Location :** Church Road, Mangatete

**Zoning :** Rural A / General Rural

**Proposal :** To create a retiring farmer allotment

**Type :** Controlled / Restricted Discretionary

**Issues :** House partly on road reserve - road stopping has been initiated and to be amalgamated via a consent notice, effluent disposal.

**Approvals :** Nil

**Notified :** No

**Hearing :** No

**Decision :** Consent, with conditions

**Findings :** Old plan is predominant and permits a straightforward retiring farmer allotment, new plan is RDA



**Discussion :** Applicant feels that Council is obliged to assist because building permit allowed construction on road, but this is not accepted.

**Copy to:**

Building	Monitoring	Works	Projects	Prop / Legal	Comm Fac	Finance
x		x		x		