

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):

- | | |
|---|---|
| <input type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input checked="" type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> 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:

Toots Limited

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.

<hr/> <hr/> <hr/>

6. Address for correspondence

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

Name/s:

Williams & King, Attention: Natalie Watson

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.

<hr/>

7. Details of property owner/s and occupier/s

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

Name/s:

As per applicant.

Property address/
location:

<hr/> <hr/> <hr/> <hr/> <p style="text-align: right;">Postcode</p>

8. Application site details

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

Name/s:

Site address/
location:

Legal description:

Lot 3 DP 408990

Val Number:

00415-07603

Certificate of title:

432985

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.

May be stock present in areas.

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.

Proposed Subdivision to create one additional title in the Rural Production Zone, including easements over Lot 4 DP 408990.

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)

Toots Limited

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.

15. Billing details continued...

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)

Signature:

(signature of bill payer)

Argus Bayley
Date 25-03-26
DATORY

16. 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.

17. Declaration

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

Name (please write in full)

Natalie Watson

Signature

Date 1 April 2026

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

See overleaf for a checklist of your information...

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.

Toots Limited

Proposed Subdivision & s241(3) Cancellation of Amalgamation Condition

55 Toots Drive, Kawakawa

Williams & King, Kerikeri¹
1 April 2026



Photograph 1: View over paddocks on Lot 2

¹ Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitaia
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

1. OVERVIEW

Toots Limited owns a property located at 55 Toots Drive, Kawakawa and legally described as Lot 3 DP 408990 held together by amalgamation condition with Lot 4 DP 408990 and Section 87 Block XIV Kawakawa Survey District, and held in Record of Title 432985, which comprises 27.8074ha of land.

The applicants are seeking resource consent to subdivide their property to create a separate Record of Title for the existing residential dwelling and detached minor residential unit (proposed Lot 1), leaving the balance area within proposed Lots 2 and 3, which will continue to be amalgamated with Lot 4 DP 408990 and Section 87 Block XVI Kawakawa SD.

The subject site is accessed from Toots Drive via existing legal road and private access arrangements.

The subject site is zoned Rural Production in the Operative Far North District Plan. The proposal has been assessed as being a non-complying activity overall.

Under the Proposed Far North District Plan, the site is zoned Rural Production. There are no relevant rules with legal effect at this time.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

2. DESCRIPTION OF PROPOSAL

2.1 Subdivision layout, amalgamation conditions, lot sizes and easements

The overarching purpose of the proposal is to enable the creation of one additional Record of Title, establishing a separate Record of Title for the existing residential buildings, which are located at 55 Toots Drive, Kawakawa. The balance lot will retain the primary production land and stockyards.

The proposed subdivision creates Lots 1 - 3 as summarised in **Table 1**.

Table 1: Summary of proposed lot sizes, and land use.

Lot Number	Gross Area (Subject to Final Survey)	Existing Use
Lot 1	2.8410ha	Existing residential dwelling and detached minor residential unit, existing parking areas, and on-site wastewater system.
Lot 2	14.1025 (to be held in the same Record of Title as Lot 1, Lot 4 DP 408990 & Section 87 BLK XIV Kawakawa SD).	Primary production.
Lot 3	5,125m ² (to be held in the same Record of Title as Lot 2, Lot 4 DP 408990 & Section 87 BLK XIV Kawakawa SD).	Sloping land, existing stock yards.

As part of the proposal, the existing amalgamation condition holding Section 87 Block XIV Kawakawa Survey District and Lot 3-4 Deposited Plan 408990 together in the same Record of Title will need to be cancelled pursuant to Section 241(3) of the Resource Management Act 1991, and approval for this is sought. A new amalgamation condition is proposed to require all land other than Lot 1 within the existing Record of Title to be held in the same Record of Title:

That Lots 2 & 3 Hereon and Lot 4 DP 408990 and Section 87 BLK XIV Kawakawa SD be held in the same Record of Title.

Refer to the Scheme Plan in **Appendix 1** and **Figure 1** below. All areas and dimensions are subject to final survey.

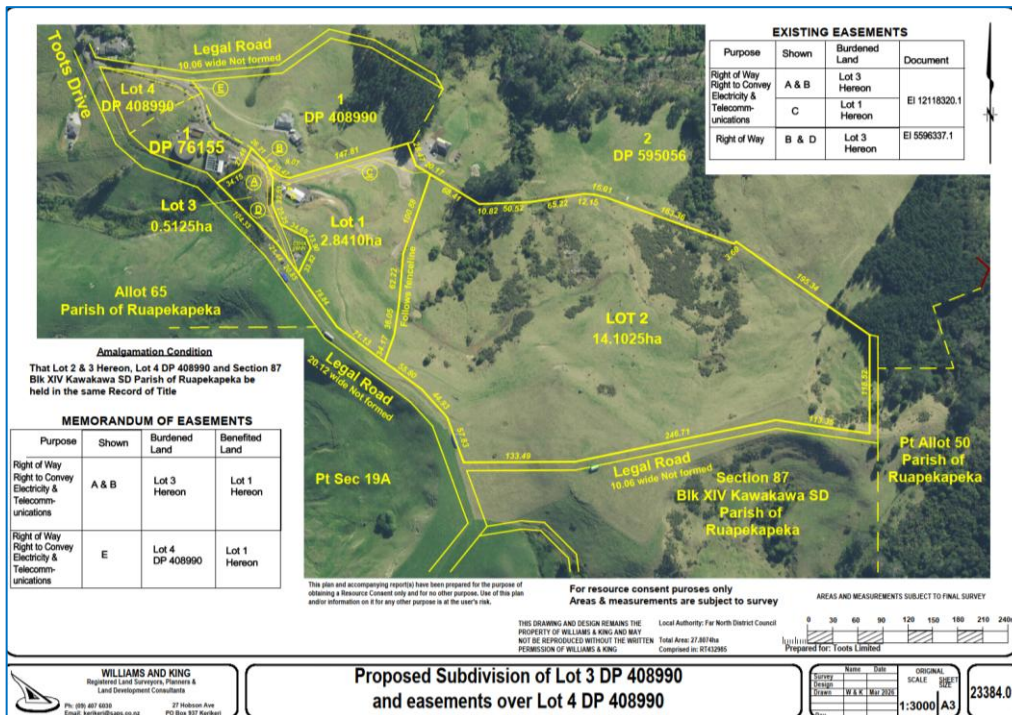


Figure 1: Scheme Plan of Proposed Subdivision

2.2 Property access arrangements

Vehicle access to Lots 1 - 3 is from the end of Toots Drive, approximately 500m beyond the intersection of Toots Drive and State Highway 11. The last ~200m of this includes access over a 10.06m wide legal road combined with existing easements over Lot 4 DP 408990 as per easement certificate / instruments 626419.3, 5705174.2 and 12118320.1 to the benefitted properties, and then over Lot 1 DP 76155 (FNDC water reservoir site).

The subject Record of Title is burdened by, and benefits from, a number of existing easements, which enable property access.

- Easement Certificate 626419.3: provides Right of Way over the Toots Drive formation where it crosses Lot 4 DP 408990 (marked A on DP 408990) benefitting Lot 1 DP 76155 (FNDC Water Reservoir site) and Right of Way over Lot 1 DP 76155 benefitting the subject land.
- Easement Instrument 5596337.1: Right of Way over Lot 3 DP 408990 (marked B on DP 408990) benefitting properties to the west of the paper road (Legal Road, Not Formed) including properties on DP 558241 adjacent to Ruapekapeka Road for which this easement is now redundant).
- Easement Instrument 5705174.2: Right of Way over Lot 4 DP 408990 (marked A on DP 408990), benefitting properties to the west of the paper road (Legal Road, Not Formed) including properties on DP 558241 adjacent to Ruapekapeka Road for which this easement is now redundant).

- Easement Instrument 12118320.1: Right of Way over Lot 3 DP 408990 (marked A on DP 560716) and over Lot 4 DP 408990 (marked B on DP 560716), benefitting Lot 2 DP 408990.

New easements are proposed, giving Lot 1 the benefit of Area A and B over proposed Lot 3 and area 'E' over Lot 4 DP 480990. Legal frontage to Toots Drive for Lots 1 – 3 is therefore via existing and proposed easements.

The proposed subdivision increases use of Toots Drive Road by one additional Record of Title. No alterations to the existing physical access arrangements are proposed.

2.3 Wastewater and stormwater management

The existing buildings on Lot 1 are connected to an onsite wastewater treatment system, which is located to the north west of the existing dwelling, and discharges to a disposal area downslope (to the east) of the building. This will remain within the Lot 1 boundaries. Section 3.4 of this report contains a summary of building consent approvals, including one for an onsite wastewater system. The Building Inspection summary shows the location of the system (see **Figure 2**) and **Figure 3** shows a recently prepared as built plan showing the location of the treatment system and disposal area.



Figure 2: Inspection Photographs EBC-2022-729-0 (Sourced from Far North District Property File Records).

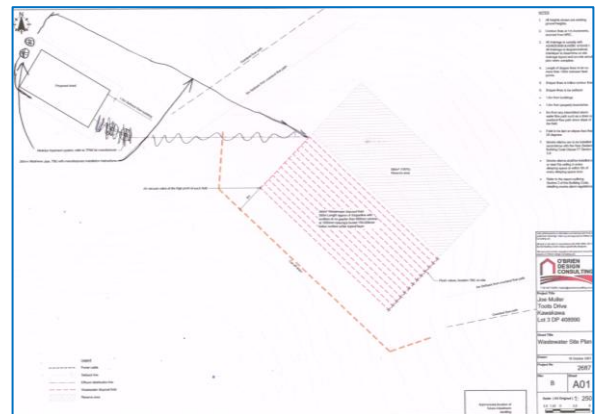


Figure 3: As Built Plan of Onsite Wastewater System.

The site has existing natural drainage patterns, with stormwater runoff able to be directed to these natural gullies.

Existing proportional impermeable surface coverage on Lot 1 remains very low, and well within the permitted activity standards for the Rural Production Zone.

3. APPLICATION SITE DETAILS AND DESCRIPTION

3.1 Location

The application site is located at 55 Toots Drive, between Kawakawa and Taumarere and 480m south east of the intersection between State Highway 1 and Toots Drive. Refer to the maps in **Figures 4 and 5**.

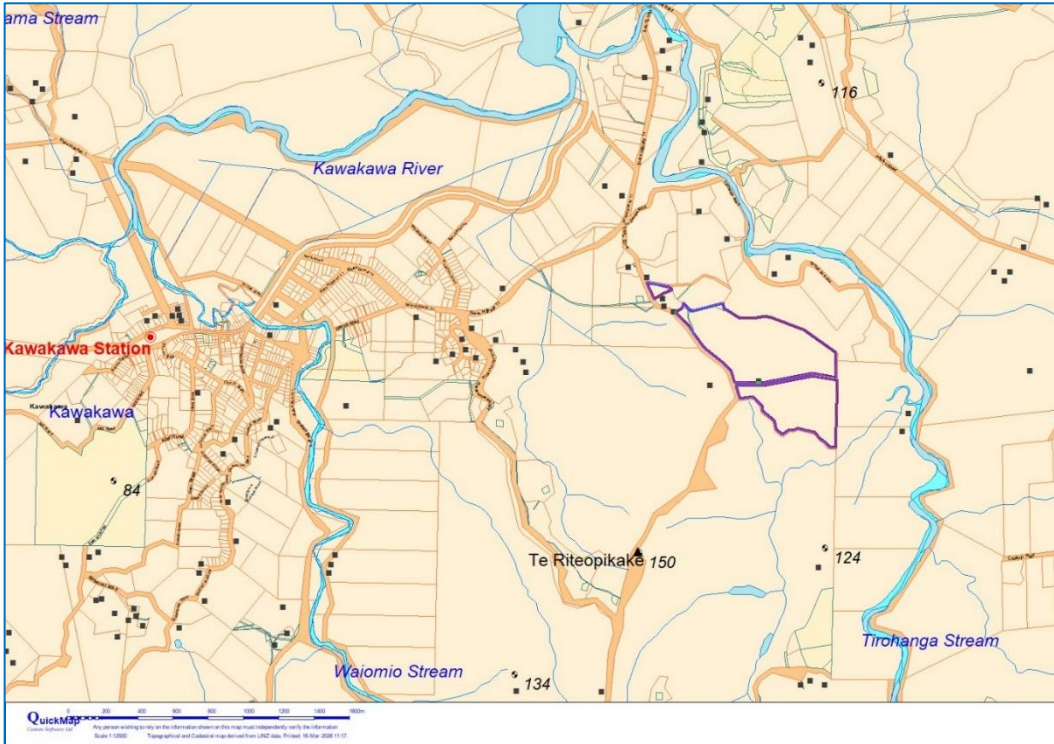


Figure 4: Location Map (Source: QuickMap).

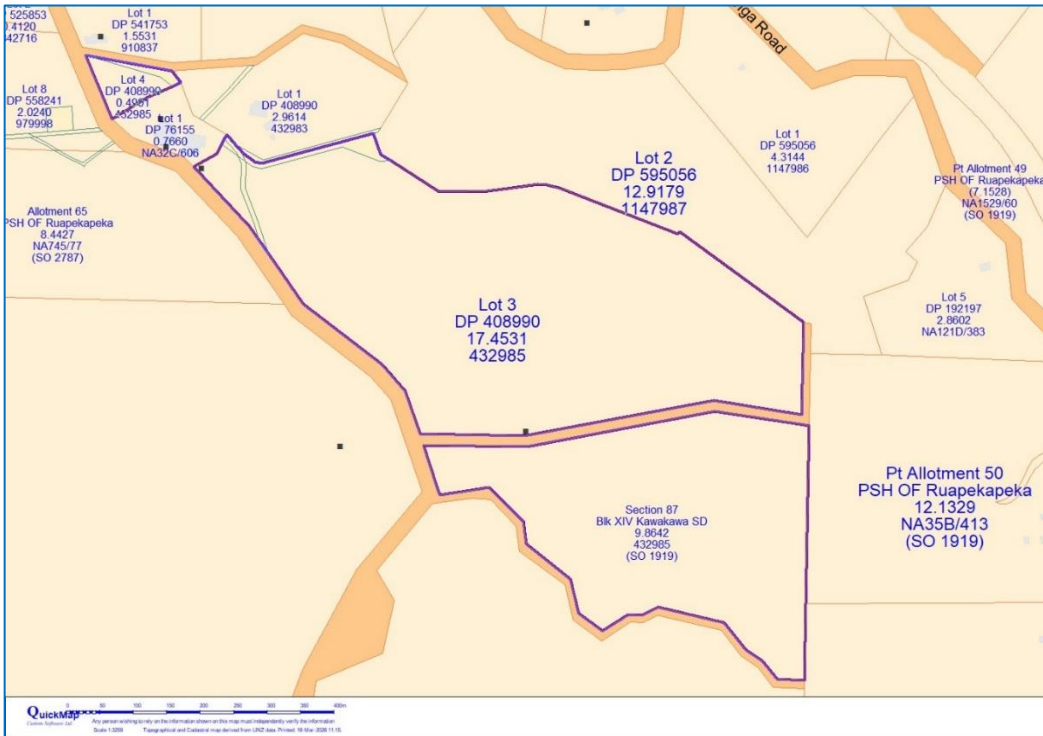


Figure 5: Cadastral Map Highlighting the Subject Record of Title (Source: QuickMap).

3.2 Legal details

Legal details of the application site are summarised below and in the Record of Title (**Appendix 2**).

Table 2: Summary of Record of Title.

RECORD OF TITLE IDENTIFIER & LEGAL DESCRIPTION	TITLE AREA	INTERESTS
Record of Title: 432985 Legal Description: Section 87 Block XIV Kawakawa Survey District & Lots 3-4 DP 408990	27.8074ha more or less	<p>Appurtenant part herein formerly contained in CT NA35C/430 is a right of way specified in Easement Certificate 626419.3</p> <p>Subject to a right of way over Lot 4 DP 408990 marked A on DP 408990 specified in Easement Certificate 626419.3</p> <p>The easements specified in Easement Certificate 626419.3 are subject to Section 37 (1) (a) Counties Amendment Act 1961</p> <p>Subject to a right of way over Lot 3 DP 408990 marked B on DP 408990 created by Easement Instrument 5596337.1</p> <p>Subject to a right of way over Lot 4 DP 408990 marked A on DP 408990 created by Easement Instrument 5705174.2</p> <p>7986589.1 Consent Notice pursuant to Section 221 RMA 1991 (affects Lot 3 DP 408990)</p> <p>Subject to Section 241(2) RMA 1991 (affects DP 408990)</p> <p>Appurtenant to Lot 3 DP 408990 is a right to convey and transmit electricity created by Easement Instrument 7986589.3</p> <p>Subject to a right of way and right to convey electricity and telecommunications over Lot 3 DP 408990 over part marked A on DP 560716 and a right of way and right to convey electricity and telecommunications over Lot 4 DP 408990 over part marked B on DP 560716 created by Easement Instrument 12118320.1</p>

3.3 Natural and recorded features

3.3.1 Operative Far North District Plan

The Operative District Plan does not record any Outstanding Natural Features, Outstanding Landscape Features, Notable Trees, Historic Sites, Buildings and Objects, Sites of Cultural Significance to Māori or Scheduled Registered Archaeological Sites within the subject land.

3.3.2 Regional Policy Statement

The subject site is not within the coastal environment and does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features, as recorded in the Regional Policy Statement.

3.3.3 Heritage Sites

Q05/884 is a recorded archaeological site located at the western end of Lot 3. This archaeological site was reinspected as part of an archaeological assessment prepared by CFG Heritage Ltd in relation to RC 2070078-RMASUB in 2007 and recorded by GPS and described as a 'pit site'. It was described as follows:

Q05/884, pit site
 E 2610653 N 6645991 ± 5 m

This site was first recorded in 1984 from a description given to the site recorder by the farmer – it was not visited. The site record form mentions “two or three open rectangular pits”, but only a single rectangular pit located on the end of a ridge between the eastern end of the airstrip and a steep eroding scarp was observed. The pit is orientated east west and measures 3 x 2 m and is 0.5 m deep. A post and wire fence runs through the pit with a post set into its centre (Figure 10). No other features were observed, though it seems likely that they may have existed under the airstrip, as recorded in the original site record form, as this runs right up to the edge of the existing pit.

Figure 6: Excerpt of CFG Heritage Ltd Archaeological Assessment

The general location of Q05/884 is shown in **Figure 7**, with a more refined location shown in an occupation diagram using the co-ordinates given in the above description (see **Figure 8**).

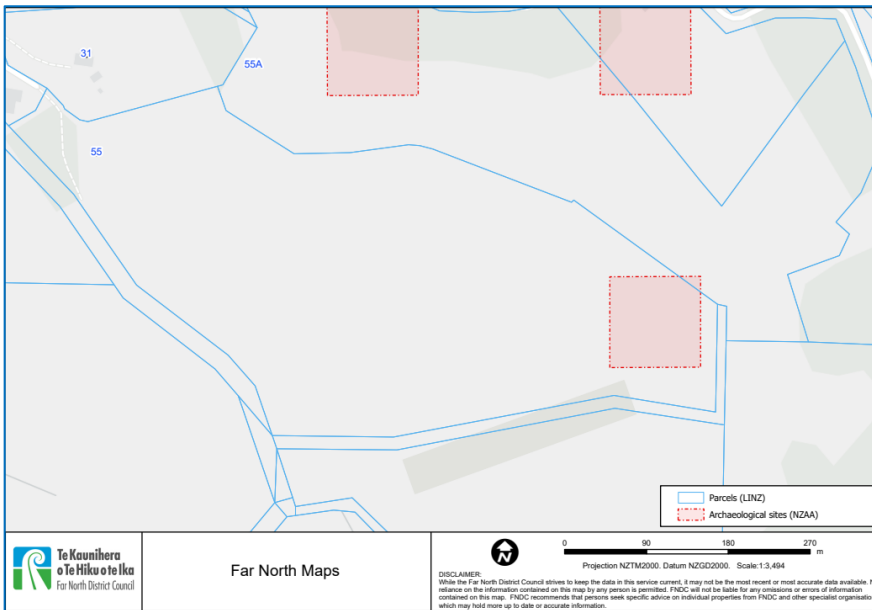


Figure 7: Map showing NZAA Archaeological Site at eastern end of Lot 2 (Source: Far North Atlas / Kohinga Mahere).

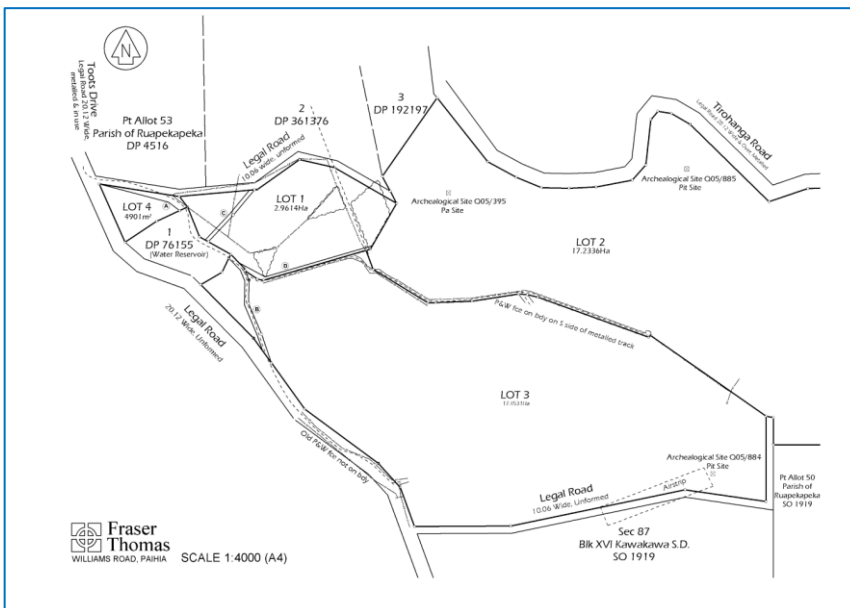


Figure 8: Occupation Diagram showing location of Q05/884 to the east of the airstrip. (Sourced from Far North District Council Property File, 2070078-RMASUB – Resource Consent Information – 374884).

The archaeological assessment noted that “*in addition to updating previously recorded sites the ridge lines and stream gullies were extensively examined to look for previously unrecorded sites – none were found*”.²

An existing consent notice condition applicable to the subject site makes reference to the presence of archaeological sites, and states that:

- i. the Applicant and any future owner shall be aware of the recorded archaeological sites registered against the Certificate of Title, and the potential for the existence of unrecorded sites.*
- ii. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Policy should also be consulted if the discovery includes koiwi or human remains.*

3.3.4 Soils / New Zealand Land Resource Inventory Land Use Capability

The subject site is recorded as being within the Land Use Capability Units 6e9 (encompassing the majority of Lot 1, Lot 3 and the northern area of Lot 2) while the remainder is within the Land Use Capability Unit 4e2. Neither of these Land Use Capability Units are classified as highly versatile soils in the Regional Policy Statement definition, or as highly productive land in the National Policy Statement for Highly Productive Land 2022.

Geological Map Reference Number: NZMS 290 Sheet P 04/05 describes the soils as Hukerenui silt loam with yellow subsoil (HKrH) + Rangiora clay, clay loam and silty clay loam (RAH) with imperfectly to very poorly drained soils of the rolling and hill land.

3.3.5 Natural Hazards

The Northland Regional Council Natural Hazard GIS Mapping does not record the subject land as being subject to any natural hazards.

Lots 1 – 3 do not comprise erosion prone land (proposed Regional Plan mapping), and liquefaction vulnerability assessment is shown as unlikely in the Far North Atlas Hazards GIS mapping.

3.4 Existing land use and structures

Lot 1 contains an existing dwelling with associated water storage tanks, onsite wastewater treatment and disposal system (EBC-2022-729/0) as well as a self-contained cabin / detached minor residential unit.

Review of the FNDC property file revealed the following relevant approvals relating to buildings and infrastructure on proposed Lot 1:

- *BC-2017-83-0 / CCC-2017-83/2: Construct a New Lean To Farm Building, CCC Issued 18 July 2023.*
- *EBC-2022-729/0: Install Onsite Waste Water System, issued 7 December 2021. No CCC on file, understand that this is being progressed.*

² Campbell, M. & Thorne, B. 2007: *Subdivision and boundary adjustment, Lot 51, Pt Lot 52 Parish of Ruapekapeka and Lot 4 DP 192197. Reservoir Road and Tirohanga Road, Kawakawa: archaeological assessment.* [Unpublished Report] CFG Heritage Ltd.

- COA-2024-14/0: Farm Building Converted into Dwelling without a Building Consent, issued 30 September 2024

Lot 2 is in grazed pasture, comprising fenced paddocks, troughs, farm ponds, and part of a grassed airstrip.

Lot 3 contains existing stockyards.

Refer to **Photographs 2 – 5**.



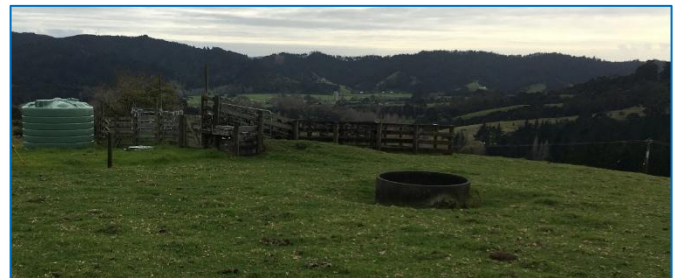
Photograph 2: Existing dwelling converted from farm building.



Photograph 4: Cabin on Lot 1.



Photograph 3: View North West along south western boundary of Lot 2.



Photograph 5: Stock yards on Lot 3.

4. DISTRICT PLAN ASSESSMENT

4.1 Far North Operative District Plan

The application site is zoned Rural Production and is not subject to any Resource Features. The proposal is assessed against the relevant rules of the Operative District Plan as follows.

4.1.1 Rural Production Zone

Rule	Discussion	Compliance
8.6.5.1 PERMITTED ACTIVITIES		
8.6.5.1.1 Residential Intensity	No issues. Self-contained cabin considered to comply with NES-DMRU.	Complies
8.6.5.1.2 Sunlight	No issues.	Complies
8.6.5.1.3 Stormwater management	Existing impermeable surface coverage on Lot 1 will not exceed 15%.	Complies
8.6.5.1.4 Setback from Boundaries	No issues.	Complies

4.1.2 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 Legal Frontage	Each lot will have legal frontage to Toots Drive via easements.	Complies
13.6.12 Suitability for Proposed Land Use	The land to be subdivided is not subject to any recorded significant risk from natural hazards. Building foundations to be designed at building consent stage.	Not applicable
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 Minimum Area for Vacant New Lots and New Lots Which Already Accommodate Structures	Lot 1 is less than the controlled activity minimum lot size (20ha). The amalgamated title comprising Lot 2 & 3, Lot 4 DP 408990 and Section 87 BLK XIV Kawakawa SD exceeds 20ha.	Does not comply
13.7.2.2 Allotment Dimensions	Lot 1 and the balance title each contain the required dimension.	Complies
13.8 RESTRICTED DISCRETIONARY ACTIVITIES		
13.8.1 Subdivision within the Rural Production Zone	The title for the subject site post-dates 28 April 2000 (it was created through boundary adjustment subdivision). Lot 1 is less than 12ha.	Does not comply
13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES		
13.9.1 Minimum Area for Vacant New Lots and New Lots Which Already Accommodate Structures	The minimum lot size of 4ha is not achieved by Lot 1. Management Plan subdivision is not proposed.	Does not comply
13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES		
13.11(a) Non-Complying (Subdivision) Activities	The proposal has been assessed as a non-complying activity.	Non-complying activity status

4.1.3 Transportation

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private Accessway in all Zones	Vehicle access off the end of Toots Drive serves less than 8 household equivalents / sites. Note that existing sites off Ruapekapeka Road retain redundant ROW over the subject site - access via Toots Drive legally severed. Excluding those sites, shared access from the end of Toots Drive serves five titles and the FNDC water reservoir site (6 titles, to become 7 following the proposed subdivision). In terms of Appendix 3B-1, legal width of the existing easement across Lot 1 DP 76155 is 6m (less than 7.5m) and the existing carriageway partly encroaches outside this easement. As this is not proposed to be rectified as part of this proposed activity, 15.1.6C.1.1(a) is not met.	Does not comply.
15.1.6C.1.5 Vehicle crossing standards in Rural ... Zones	Existing access point to Lots 1 – 3 does not involve a vehicle crossing intersection, as the private access carries on as an extension of the public road. Assume no requirements.	Complies.
15.1.6C.1.7 General Access Standards	Existing on-site manoeuvring and stormwater drainage within Lot 1. Ample area for future on-site manoeuvring and stormwater drainage on Lot 2.	Considered at lot development stage.
15.1.6C.1.8 Frontage to Existing Roads	Lots 1 – 3 do not have direct frontage to a formed public road. They adjoin legal road (not formed).	Not applicable.
15.1.6C.2 DISCRETIONARY ACTIVITIES		
15.1.6C.2 Discretionary Activities	The subdivision does not comply with 15.1.6C.1.1, and is a discretionary activity.	Complies.

4.1.4 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a non-complying activity. Section 104D of the RMA sets out the specific requirements for the determination of non-complying activities.

4.2 Far North Proposed District Plan

The application site is zoned 'Rural Production in the Far North Proposed District Plan. The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Rural Production Zone

Rule	Discussion	Compliance
RPR-R2 Impermeable Surface Coverage	Impermeable surface coverage on all lots will comply.	These rules do not have legal effect.
RPROZ-R3 Residential activity	No issues. Self-contained cabin complies with NES-DMRU.	
RPROZ-S2 Height in Relation to Boundary	Existing buildings on Lot 1 comply.	
RPROZ-S3 Setback	Existing buildings on Lot 1 comply.	
RPROZ-S5 Building or structure coverage	Building or structure coverage on Lot 1 will comply with this standard.	

4.2.2 District-Wide Matters – General District-Wide Matters – Energy, Infrastructure, & Transport – Transport

Rule	Discussion	Compliance
TRAN-R2 Vehicle crossings and access, including private accessways	Private access off the end of Toots Drive Road serves less than 8 household equivalents. No new vehicle crossings off Toots Drive are required. In terms of TRAN-Table 9 a rural private accessway serving 3 – 5 residential units requires a 6m legal width and a 4.5m wide carriageway. The required legal width is achieved; however, the existing carriageway partly encroaches outside the easement over Lot 1 DP 76155. As this is not proposed to be rectified, PER-6 is not met.	This rule does not have legal effect

4.2.3 District Wide Matters – Subdivision

Rule	Discussion	Compliance
SUB-R3 Subdivision of land to create a new allotment.	<p>CON-1</p> <ul style="list-style-type: none"> Lots 1 and 2 includes a 30m x 30m dimension, not encroaching into permitted activity boundary setbacks for the Rural Production Zone (10m). Onsite water storage and stormwater management is existing and/or proposed. Existing onsite wastewater treatment and disposal is established for Lot 1, can be supplied at BC stage for Lot 1. Easements are shown on the scheme plan. <p>CON-2</p> <ul style="list-style-type: none"> Discretionary activity minimum allotment sizes not achieved. Esplanade Reserve not required. 	This rule does not have legal effect

4.2.4 Summary of Activity Status under the Far North Proposed District Plan

There are no relevant rules under the Proposed District Plan with immediate effect at this time.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1)(a) and (ab) requires the consent authority to have regard to any actual and potential effects on the environment of allowing the activity; and any measure proposed or agreed to by the application for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. Under Section 104(2), when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. This assessment of environmental effects addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as specified in Rule 13.11 (Non-Complying (Subdivision) Activities) and 15.1.6C.4, where relevant.

5.1 Allotment sizes and dimensions

The subdivision design is based on the existing layout of the built development on Lot 1, the location of stock yards on Lot 3 as well as access arrangements. Each lot provides sufficient area and dimensions to provide for the existing residential and rural land uses. Servicing for Lot 1 already exists, with the existing wastewater treatment and disposal system and water collection and storage tank being located within the Lot 1 boundaries. The proportion of impermeable surface coverage remains low.

Both Lots 1 and 2 include an allotment dimension that complies with the controlled activity standard for subdivision in the Rural Production Zone.

The proposal will not change the physical building layout on the site, and there will be no change in terms of the relationship between the existing buildings and the external boundaries of the existing site.

The wider subdivision pattern along Toots Drive includes a mixture of lot sizes, ranging from rural residential sites through to large rural blocks, all of which form the overall existing pattern of development. There are a number of rural lifestyle sites comparable to Lot 1; the maps in **Figures 4 and 5** demonstrate this.

Overall, it is considered that there will be no change to the character of the subject land following the subdivision, in order to retain the overall character of the existing rural, natural and built environment. As such, the direct and cumulative adverse effects on the wider environment generated by the proposal will be less than minor, and the size of the proposed lots is suitable for their existing and proposed land use activity.

5.2 Natural and other hazards

The lots are not subject to any recorded natural hazards, and it is considered that there is no significant risk from natural hazards that would cause subdivision consent to be refused in terms of Section 106(1)(a) of the RMA.

Fire hazard can be mitigated through the provision of adequate water supply, which is required within an existing consent notice condition. There is ample open area available on balance Lot 2 to achieve adequate setbacks from areas of vegetation, as required by the District Plan rule 'Fire Risk to Residential Units'.

The proposed subdivision is considered to adequately avoid and mitigate adverse effects related to natural and other hazards, such that they are less than minor.

5.3 Water supply

Despite the proximity to the existing FNDC water supply reservoir, the property does not benefit from water reticulation, and existing water supply is provided by way of collection and storage of rainwater. This same method is available for future buildings requiring potable water supply on Lot 2. Adequate water supply can be provided for the proposed subdivision, and no adverse effects with respect to water supply are anticipated.

5.4 Stormwater disposal

No additional impermeable surfaces are required to complete the proposal, and the existing extent of impermeable surface coverage on Lot 1 will comply with the permitted activity standard for the Rural Production Zone of the Operative District Plan. Rainwater is collected from the roof surface and stored in water tanks for domestic use from the roof area of each building. Water tank overflow, together with stormwater runoff from the driveway and hardstand surfaces is directed to natural overland flow paths. There will be no change in existing stormwater management with respect to Lot 1.

On Lot 2, any future impermeable surface coverage will also need to direct stormwater to the natural gully areas, with appropriate energy dissipation to avoid scour and erosion in accordance with the Proposed Regional Plan requirements, to avoid any potential adverse effects associated with stormwater discharge.

5.5 Sanitary sewage disposal

Lot 1 contains an existing onsite wastewater system, which will be retained within the proposed lot boundaries. The residual title comprising Lots 2 and 3, together with Lot 4 DP 408990 and Section 87 Block XIV Kawakawa SD contains ample suitable area for onsite wastewater disposal, with detailed design able to be confirmed at building consent stage. It is therefore considered that the proposal does not generate any adverse environmental effects in terms of sanitary sewage disposal.

5.6 Energy and telecommunications supply

The site is within a rural environment, and there is no need for electricity or telecommunications to be supplied or confirmed via conditions of consent.

Comments have been sought from Top Energy (see **Appendix 3**), who have confirmed that they have nil requirements.

The proposal has no effects in relation to the supply of electricity or telecommunications.

5.7 Easements for any purpose

Refer to the schedule of existing easements and memorandum of easements on the scheme plan.

5.8 Building Locations

There are multiple suitable building sites on Lot 2, which will be amalgamated with other parcels of land to form a title area of more than 24ha.

5.9 Property access

Property access from Toots Drive to the boundary of each lot is already formed as previously described. This includes access partly over an unformed legal road and over private land within existing and proposed easements.

An existing encroachment of the private access formation into Lot 1 DP 76155 (FNDC has been identified (where the existing carriageway is not located entirely within the existing appurtenant easement over Lot 1 DP 76155, shown as 'D' on DP 76155, and created by Easement Certificate 626419.3). This encroachment affects multiple properties, including those other than the application site. In addition, this existing easement narrows down to 6m wide at its south eastern end, adjoining proposed Lot 3. Besides the buildings on proposed Lot 1, only one other dwelling uses this accessway, and the formation is appropriately formed for this level of use. As the encroachment involves other land outside of the proposed subdivision, we consider that this issue is best dealt with separately.

The large primary production site (Lots 2 and 3, together with the balance of the subject land's Record of Title is intended to remain as a primary production site at this stage, as it will continue to be used for farming. Additional traffic generated by the proposed subdivision would arise if there was a new land use activity established on this site, for example, a new residential dwelling on the site. The proposed level of traffic can be accommodated by the existing property access provisions.

Lots 1 – 3 are located more than 500m beyond the intersection of Toots Drive and State Highway 11, while the nearest part of the Record of Title (Lot 4 DP 408990) is approximately 280m beyond the intersection. No new vehicle crossings off, or within 90m of State Highway 11 are required. Further, the subject site does not adjoin the State Highway.

Overall, it is considered that existing and future traffic can be accommodated by existing property access provisions, and that the effects of the proposal on existing roading and traffic safety will be less than minor.

5.10 Archaeological and cultural effects

Archaeological site Q05/884 is located on Lot 2 at the eastern end of the airstrip. An archaeological assessment undertaken at the time of the previous subdivision relocated this site, gave accurate coordinates for its location and an updated description, and additionally examined ridge lines and stream gullies to look for previously unrecorded sites (none were found). No earthworks or other land disturbance activities are proposed in the location of Q-05/884, and existing consent notice conditions reference this, as well as the potential for the existence of unrecorded sites:

- i. the Applicant and any future owner shall be aware of the recorded archaeological sites registered against the Certificate of Title, and the potential for the existence of unrecorded sites.*
- ii. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Policy should also be consulted if the discovery includes koiwi or human remains.*

For this proposal, it is considered that an Accidental Discovery Protocol advisory note can be applied to the consent, outlining the procedures to be followed should any archaeological site be inadvertently uncovered, in order to avoid adverse effects on heritage resources.

5.11 Preservation and enhancement of vegetation and fauna

The proposal does not involve any removal or disturbance of indigenous vegetation. Direct and indirect adverse effects on indigenous vegetation and fauna are avoided.

5.12 Landscape and visual effects

Lot 1 will retain private open space surrounding the existing buildings and their outdoor areas. Lot 2 will form a large rural title, which is likely to continue to retain its pastoral land use. There are a number of possible building sites on this property, which are able to be developed without affecting the outlook or privacy of any adjacent properties. It is considered that there will be no adverse impacts on the visual amenity, or privacy of adjoining properties as a result of the proposed subdivision activity.

The site is not within an Outstanding Landscape, and does not have high or outstanding natural character.

The existing rural character and visual quality values of the site and its surroundings can be retained, and potential adverse visual and landscape effects are considered to be less than minor.

5.13 Soil

The site does not contain highly versatile soils / highly productive land. Primary production activities will continue on Lot 2, at the same scale as the current activity. As such, the adverse effects on soil resources will be less than minor.

5.14 Land use compatibility

The subject site is located between existing rural residential and rural lifestyle development to the east and along Tirohanga Road, closer to Toots Drive, and rural land elsewhere. The existing interface between the pastoral primary production activities and residential dwellings is existing. The proposed development will be compatible with existing development in the area. As such, the proposal is considered to avoid adverse effects associated with incompatible land use and reverse sensitivity to a reasonable extent, such that the existing and possible future uses of Lots 1 – 3 and surrounding land can be accommodated.

6. STATUTORY ASSESSMENT

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*
- *Resource Management (National Environmental Standards for Freshwater) Regulations 2020*
- *National Policy Statement for Highly Productive Land 2022 Amended August 2024*
- *National Policy Statement for Indigenous Biodiversity 2023*
- *National Policy Statement for Natural Hazards 2025*
- *Regional Policy Statement for Northland*
- *Operative Far North District Plan*
- *Proposed Far North District Plan*
- *Proposed Regional Plan for Northland*

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment’s Hazardous Activities and Industries List.³

³ Northland Regional Council (n.d.): *Selected Land-use Register Map*. Retrieved 16 March 2026 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

All land outside of proposed Lot 1 will remain as primary production land. This includes the existing grass airstrip located partly over Lot 2.

The proposal does not require consent under the NESCS.

6.1.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

The Northland Regional Council Biodiversity Wetlands Mapping does not record any wetlands within the site, or within 100m of the site. Various farm ponds and overland flow paths are present on the site. However, the proposed subdivision does not involve any vegetation clearance, earthworks, or taking, use, diversion, damming, or discharge of water. Therefore, the proposal is not considered to have any implications in terms of the above regulations.

6.2 National Policy Statements

6.2.1 National Policy Statement for Highly Productive Land 2022 Amended August 2024 (“NPS-HPL”)

The subject land comprises Land Use Capability Units 6e9 and 4e2, neither of which meet the definition of ‘highly productive land’ in the NPS-HPL, which is therefore not relevant to the proposed activity.

6.2.2 National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

The subject site does not contain any areas of significant indigenous vegetation, and is not within a kiwi habitat. Therefore, the proposed subdivision has no implications in terms of the NPS-IB.

6.2.3 National Policy Statement for Natural Hazards 2025

Risk Matrix

When undertaking an assessment of natural hazard risk, the following risk matrix and associated tables must be applied to enable assessment of the consequence level and likelihood level and to determine the level of natural hazard risk applicable.

- The land is located above the mapped river flood hazard area associated with Tirohanga Stream.
- All of Lot 2 and 3, as well as the majority of the remaining Record of Title area is not shown to be erosion prone land in the NRC mapping.
- The liquefaction vulnerability assessment is shown as ‘unlikely’.
- The vacant land includes a range of site conditions, from the flatter areas near the airstrip to steeper gullies. There are multiple possible building sites. The requirement for specifically designed foundations is dependent on the building site location and the purpose of the building.

Therefore, the likelihood level (using Table 1) is considered to be classified as ‘Unlikely’.

The consequence level (Table 2) can be described as minor.

Therefore, the level of natural hazard risk is considered to be low.

Table 1: Likelihood table

Likelihood level	Annual exceedance probability (AEP)	Average recurrence interval (ARI) or 'return period'
Almost certain	10% or more	Up to and including 10 years
Very likely	10% to 5%	Over 10 and up to and including 20 years
Likely	5% to 2%	Over 20 and up to and including 50 years
Possible	2% to 1%	Over 50 and up to and including 100 years
Unlikely	1% to 0.2%	Over 100 and up to and including 500 years
Rare	0.2% to 0.02%	Over 500 and up to and including 5,000 years
Very rare	Less than 0.02%	More than 5,000 years

Table 2: Consequence table

Consequence level	Damage to property	Potential for injury or fatalities
Catastrophic	Severe damage to land and building(s), potential for collapse or total destruction of structures. Building(s) need to be demolished, rebuilt or relocated.	High threat to life safety, with probable fatalities and/or critical injuries.
Major	Major damage to land and building(s), including structural damage. Loss of use and substantial repair required.	Unsafe for people, with potential for many injuries, or critical injuries and/or fatalities.
Moderate	Some damage to land and non-structural damage to building(s). Limited loss of use, repairs required.	Unsafe for people, with potential for injuries, although expected to be minor.
Minor	Minor damage to land and building(s). No loss of use, minimal repairs required.	Isolated minor injuries possible.
Negligible	No loss of use, no building repairs required.	No injuries.

Part 2: Objective and policies

2.1 Objective

1. *Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach.*

This has been considered using the risk matrix and in the policies below.

2.2 Policies

Policy 1: *When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix.*

A low level of natural hazard risk has been assessed.

Policy 2: *Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk.*

The vacant land includes a range of site conditions, from the flatter areas near the airstrip to steeper gullies. There are multiple possible building sites. The requirement for specifically designed foundations is dependent on the building site location and the purpose of the building.

Policy 3: *Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided.*

Not applicable.

Policy 4: *Where subdivision, use or development, including any associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk.*

Not applicable.

Policy 5: *Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete.*

Most recent natural hazard mapping has been referred to.

Policy 6: *The potential impacts of climate change to at least 100 years into the future must be considered.*

Not applicable.

6.3 Regional Policy Statement for Northland (“RPS”)

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region.

The subject site is not within the coastal environment or an outstanding natural landscape or feature and does not include any areas of high or outstanding natural character.

Policy 5.1.1 – Planned and coordinated development is relevant, and requires co-ordinated location, design and building or subdivision, use and development. Relevant matters have been considered in preceding sections of this report. In particular:

- Servicing with the necessary infrastructure is already established for each lot.
- The site is not near any significant mineral resources.
- The subdivision is located in a predominantly rural residential and rural lifestyle area. The proposal will not result in incompatible land uses in close proximity or encourage reverse sensitivity commensurate with policy 5.1.1(e).
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- No new adverse effects on significant ecological areas or species will result.
- Adverse effects associated with natural hazards are avoided and mitigated.
- 5.1.1(f) seeks to ensure that plan changes and subdivision to/in a primary production zone does not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities. The site is not mapped as having “highly versatile soils” in terms of the Regional Policy Statement categorisation.

- Policy 5.1.1(g) requires subdivision ... to “*maintain or enhance the sense of place and character of the surrounding environment except where changes are anticipated by approved council growth strategies and/or plan provision*”. The existing rural and residential use of the lots is consistent within the predominant land use and subdivision development in the surrounding environment. The character of the surrounding environment can be retained.
- The proposal has no implications on matters such as renewable energy, sustainable design technologies.
- Policy 5.1.1(h) requires subdivision, use and development to be, or be able to be, serviced by necessary infrastructure. In terms of this policy. The land is suitable for stormwater, wastewater and water to be managed on site. Being within a rural environment, there is no requirement for electricity and telecommunications to be provided at subdivision stage.

6.4 District Plan Objectives and policies

6.4.1 Operative Far North District Plan

The objectives and policies of the Rural Environment, Rural Production Zone and Subdivision Sections of the District Plan are relevant to this proposal. Comments on the objectives and policies of the Rural Environment and Rural Production Zone have been grouped together as they have many overlapping themes. As discussed below, it has been concluded that the proposal is not contrary to the overall objectives and policies of the District Plan and consequently meets the test of section 104D(1)(b).

RURAL ENVIRONMENT

8.3 OBJECTIVES

- 8.3.1 *To promote the sustainable management of natural and physical resources of the rural environment.*
- 8.3.2 *To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.*
- 8.3.3 *To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.*
- 8.3.4 *To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- 8.3.6 *To avoid actual and potential conflicts between land use activities in the rural environment*
- 8.3.7 *To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.*
- 8.3.10 *To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.*

8.4 POLICIES

- 8.4.1 *That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.*
- 8.4.2 *That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded and rural productive activities are able to continue.*
- 8.4.3 *That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.*
- 8.4.4 *That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.*
- 8.4.5 *That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).*
- 8.4.6 *That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.*
- 8.4.7 *That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.*
- 8.4.8 *That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), ... on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.*

RURAL PRODUCTION ZONE

8.6.3 OBJECTIVES

8.6.3.1 *To promote the sustainable management of natural and physical resources in the Rural Production Zone.*

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

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

8.6.3.4 *To promote the protection of significant natural values of the Rural Production Zone.*

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

8.6.3.7 *To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.*

8.6.3.8 *To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.*

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

8.6.4 POLICIES

8.6.4.1 *That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.*

8.6.4.2 *That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.*

8.6.4.3 *That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.*

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

8.6.4.5 *That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.*

8.6.4.7 *That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.*

8.6.4.8 *That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities*

8.6.4.9 *That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.*

Promote sustainable management.

Given the nature of the proposal, which creates a separate Record of Title around an established residential land use activity and built development, the proposed subdivision is considered to represent sustainable management, resulting in less than minor adverse effects on natural and physical resources.

Ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

The site does not contain highly productive land or highly versatile soils, and it is considered that the life supporting capacity of soils is not compromised, with the subdivision being an appropriate activity. The remainder of land outside of Lot 1 will continue to be used for soil based primary production, at the same scale as it presently is.

Avoid, remedy or mitigate adverse effects.

Adverse effects are predominantly avoided through the nature of the proposal, which relates to existing residential and rural activities, and reflects the existing land use and built development layout.

Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna / promote protection of significant natural values.

The proposal has no implications in terms of significant indigenous vegetation or habitats of indigenous fauna.

Avoid conflicts between land use activities / reverse sensitivity.

There is no change in the relationship between existing residential and rural activities on the site or in terms of the proximity of the existing residential buildings to the FNDC water storage reservoir. The boundary layout reflects the existing occupation area of residential use on Lot 1. If necessary, an advisory consent notice can be applied to Lot 1, to draw future owners attention to the existing rural production activities which are lawfully established, and which may generate effects such as noise, odour, dust, which they shall not object against. As such, it is considered that the proposal will not create any adverse effects in terms of incompatible land uses or reverse sensitivity.

Promote maintenance and enhancement of amenity values.

The amenity values of the existing environment can be retained.

Enable efficient use and development of the Rural Production Zone, enable people and communities to provide for their social, economic and cultural well being and for their health and safety.

The proposal is an efficient use of the land, allowing the applicants to create a separate title for an existing residential activity.

SUBDIVISION

13.3 OBJECTIVES

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

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

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

13.3.7 *To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.*

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

13.3.9 *To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).*

13.3.10 *To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.*

13.4 POLICIES

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

(a) natural character, particularly of the coastal environment;

(b) ecological values;

(d) amenity values;

(e) cultural values

(g) existing land uses.

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

13.4.3 *That natural and other hazards be taken into account in the design and location of any subdivision.*

13.4.4 *That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.*

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

13.4.6 *That any subdivision proposal provides for the protection, restoration and enhancement of ... significant habitats of indigenous fauna, threatened species, the natural character of ... riparian margins ... where appropriate.*

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

13.4.11 *That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.*

13.4.13 *Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:*

(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land ...
(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
(g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

Provide for subdivision so as to be consistent with the purpose of the various zones and promote sustainable management of natural and physical resources.

The proposed activity is consistent with the Rural Production zone objectives and policies.

Ensure subdivision is appropriate and does not compromise the life supporting capacity of air, water, soil or ecosystems. Avoid, remedy and mitigate adverse effects.

The proposed subdivision does not adversely affect air, water or soil resources, and avoids adverse effects on ecosystems.

Provide sufficient water storage.

Provide electricity supply sufficient to meet the needs of activities that will establish on the lots created.

Support energy efficient design.

Promote efficient provision of infrastructure.

The proposal has no implications in terms of these matters, with existing infrastructure available for existing land uses, and the ability to provide onsite water storage and supply electricity for any future land use activities.

Take into account natural and other hazards.

Existing buildings are established on Lot 1. The balance area contains a range of building site locations, which are outside of mapped natural hazard area. Depending on the location of the building site and the use of the building, specifically designed foundations may be a requirement at building consent stage.

Require safe and effective vehicular and pedestrian access. Provide in such a way as will avoid, remedy or mitigate adverse effects.

The proposal uses existing vehicle access formations. Potential increase in traffic volumes will be minimal.

Provide for the protection, restoration and enhancement of significant habitats of indigenous fauna, significant indigenous vegetation, natural character of riparian margins where appropriate.

Preserve, and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters.

The proposed subdivision does not result in any change to ecological values or natural character, and does not change the character of the relevant zone.

6.4.2 Proposed Far North District Plan

Relevant objectives and policies set out under the chapters 'Rural Production Zone' and 'Subdivision', and are commented on below, and it is concluded that the proposal will be consistent with the relevant strategies.

RURAL PRODUCTION ZONE OBJECTIVES

RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-

term protection for current and future generations.

RPROZ-O3 Land use and subdivision in the Rural Production zone:

- a. *protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;*
- b. *protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;*
- c. *does not compromise the use of land for farming activities, particularly on highly productive land;*
- d. *does not exacerbate any natural hazards; and*
- e. *is able to be serviced by on-site infrastructure.*

RPROZ-O4 The rural character and amenity associated with a rural working environment is maintained.

The subdivision creates a new rural lifestyle site (Lot 1) around existing residential activity, and in a location that does not include highly productive land, so as to avoid sterilisation or fragmentation of land for primary production. The stockyards and pastoral land will be kept in the balance lot, which will continue to be used for primary production. Lot 1 is located near to other existing dwellings and is in character with the surrounding development.

Natural hazards are not exacerbated, and there will be no change to the existing rural character or amenity values of the site and wider area. Existing on-site infrastructure is established for Lot 1, and there are no further requirements at subdivision stage for the balance land.

POLICIES

RPROZ-P3 Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

RPROZ-P4 Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- a. *a predominance of primary production activities;*
- b. *low density development with generally low site coverage of buildings or structures;*
- c. *typical adverse effects such as odour, noise and dust associated with a rural working environment; and*
- d. *a diverse range of rural environments, rural character and amenity values throughout the District.*

RPROZ-P6 Avoid subdivision that:

- a. *results in the loss of highly productive land for use by farming activities;*
- b. *fragments land into parcel sizes that are no longer able to support farming activities, taking into account:*
- c. *the type of farming proposed; and*
- d. *whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.*
- e. *provides for rural lifestyle living unless there is an environmental benefit.*

RPROZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. *whether the proposal will increase production potential in the zone;*
- b. *whether the activity relies on the productive nature of the soil;*
- c. *consistency with the scale and character of the rural environment;*
- d. *location, scale and design of buildings or structures;*
- e. *for subdivision or non-primary production activities:*
- f. *scale and compatibility with rural activities;*
- g. *potential reverse sensitivity effects on primary production activities and existing infrastructure;*
- h. *the potential for loss of highly productive land, land sterilisation or fragmentation at zone interfaces;*
- i. *any setbacks, fencing, screening or landscaping required to address potential conflicts;*
- j. *the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- k. *the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;*
- l. *the adequacy of roading infrastructure to service the proposed activity;*
- m. *Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
- n. *Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

The subdivision does not affect highly productive land. As outlined above, reverse sensitivity and loss of highly productive land can be avoided. Existing onsite and roading infrastructure is in place. Adverse effects on heritage, cultural and natural features and values can be avoided, with an existing consent notice drawing attention to a recorded archaeological site on at the eastern end of the airstrip.

**SUBDIVISION
OBJECTIVES**

SUB-O1 Subdivision results in the efficient use of land, which:

- a. achieves the objectives of each relevant zone, overlays and district wide provisions;*
- b. contributes to the local character and sense of place;*
- c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;*
- d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;*
- e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and*
- f. manages adverse effects on the environment.*

SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:

- a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and*
- b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.*

The subdivision provides for the existing residential buildings, and is an efficient use of the land as per the listed objectives. Existing infrastructure is already in place for Lot 1. There will be no additional demand on any service infrastructure.

POLICIES

SUB-P3 Provide for subdivision where it results in allotments that:

- a. are consistent with the purpose, characteristics and qualities of the zone;*
- b. comply with the minimum allotment sizes for each zone;*
- c. have an adequate size and appropriate shape to contain a building platform; and*
- d. have legal and physical access.*

SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan.

SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:

- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and*
- b. ensuring that the infrastructure is provided in accordance the purpose, characteristics and qualities of the zone.*

SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:

- a. consistency with the scale, density, design and character of the environment and purpose of the zone;*
- b. the location, scale and design of buildings and structures;*
- c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;*
- d. managing natural hazards;*
- e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and*
- f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

Lot 1 does not meet the minimum controlled or discretionary activity lot sizes for the Rural Production Zone. The subdivision design is based on the existing layout of buildings and access, with each lot containing the required allotment dimension. Existing onsite servicing for Lot 1 is existing and there is ample area on the balance lot for future onsite servicing, if required. There will be no additional demand on any service infrastructure.

In terms of natural environment values, historical and cultural values and natural hazards, no new land use activities are proposed which would increase the risk of natural hazard, and the presence of a recorded archaeological site has been noted, with an existing consent notice condition providing protection of this.

As discussed above, adverse effects are largely avoided, as the subdivision supports established land use activities and buildings.

6.4.2 Weighting assessment of Operative and Proposed Far North District Plan

The current District Plan review process was initiated in 2016. Submissions and further submissions have been received. Public hearings have been completed and notice of Council's decisions on the Proposed District Plan are expected in May 2026. At this stage, it is considered that limited weight should be attributed to the Proposed District Plan, and more weight applied to the provisions of the Operative District Plan.

6.5 Proposed Regional Plan for Northland (February 2024)

No consents are required under the Proposed Regional Plan.

6.6 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development;*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall have particular regard to-

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The proposal is considered to promote sustainable management as per the purpose of the Act (Section 5) by creating a separate Record of Title for the existing residential activity, in a manner that is consistent with the scale and intensity of surrounding development, and in a location that does not compromise any significant natural values. The proposal will not detract from the existing amenity, character or landscape values present in the surrounding environment.

Matters of national importance have been recognised and provided for in the proposal as the proposal has no impact on waterways and their margins or on any significant vegetation or habitats. The proposed subdivision is not within the coastal environment, and does not affect any outstanding natural features and landscapes, and has no effect in terms of the recorded archaeological site located on Lot 2.

The proposed subdivision is considered to be an efficient use of this land, which supports existing built development and land use activities. In these circumstances there will be no detriment to amenity values, or the overall quality of the environment in terms of section 7.

The proposal has no known implications in terms of the Treaty of Waitangi.

The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7. OTHER MATTERS

Section 104(1)(c) requires the consent authority, subject to Part 2 of the Act, to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

7.1 Precedent effect

The precedent resulting from granting a resource consent is an 'other matter' that Council can have regard to in considering an application for consent for a non-complying activity. The non-complying activity status does not of itself create a precedent effect; however, a relevant consideration is whether granting this consent, and the anticipation that like cases will be treated alike, will contribute to an adverse cumulative effect that follows from this activity.

Case law has indicated that although precedent effects are relevant, they should not be attributed too much weight, as every application must be considered on its own merits and against the relevant provisions of the District Plan (Berry v Gisborne District Council [2010] NZEnvC 71).

Considering the circumstances of this application, it has been concluded that due to the existing settlement pattern surrounding Lot 1, a precedent has already been set for this area, and that the proposed development will not result in an adverse cumulative effect on landscape or rural character; given that it will seamlessly blend into the present settlement character of the locality. Therefore, despite its non-complying activity status, the unique character of the location allows Lot 1 and its existing rural lifestyle development to be accommodated within the environment without setting a wider precedent.

8. CONSULTATION & NOTIFICATION ASSESSMENT

8.1 Public notification

Step 1: Public notification is not requested. Sections 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

Step 3: There are no relevant rules that require public notification, and the adverse effects of the proposal have been assessed as being less than minor, as set out in Section 5 of this Report. As such, public notification is not considered necessary.

Step 4: No special circumstances are considered to exist to warrant public notification.

8.2 Limited notification

Step 1: There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

Step 3: Section 95E(2) provides guidance as to how a consent authority should assess an activity's adverse effects on a person for the purposes of Section 95E, including clause (a), where they may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. There is no permitted baseline for subdivision that needs to be considered as part of this assessment.

Section 95E(1) specifies that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

No person is considered to be an affected person in terms of this proposed activity as:

- The site is not within 500m of land administered by the Department of Conservation (the nearest land administered by the Department of Conservation is Allotment 24A Parish of Ruapekapeka).
- Operative District Plan Rule 15.1.6C.3 (Transportation Chapter) states that "*where an application is required because of non compliance with a rule within this Chapter and the access is off a State Highway or nearby (up to 90m of an intersection with a State Highway) the New Zealand Transport Agency may be considered an affected party for notification purposes*". The application site / proposed lots are more than 90m beyond the State Highway 11 / Toots Drive intersection.
- The existing access encroachment over Lot 1 DP 76155 is acknowledged; however, as the existing encroachment affects other adjoining properties, it is considered best dealt with as a separate exercise. Nevertheless, consultation with Council with regards to this is implemented via this application.
- No increase in impermeable surfaces is required to implement the proposed subdivision.
- No new vehicle crossings are required.
- The existing rural character and amenity values can be retained.

As such, it is considered that limited notification is not required via Step 3.

Step 4: No special circumstances exist.

8.3 Summary of Notification Assessment

As outlined above, we anticipate that the application can be treated as non-notified.

9. CONCLUSION

In terms of section 104, 104B and 104D of the Resource Management Act 1991, we consider that:

- the proposed activity achieves the "threshold test" set out in 104D(1) as:
 - the adverse effects of the activity on the environment resulting from the proposed activity will be less than minor; and
 - the proposal is considered to be generally consistent with the objectives and policies of the Operative District Plan and Proposed District Plan.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.
- The proposal is not contrary to the relevant National Environmental Standards, the National Policy Statements, or the Regional Policy Statement for Northland.

We also note that:

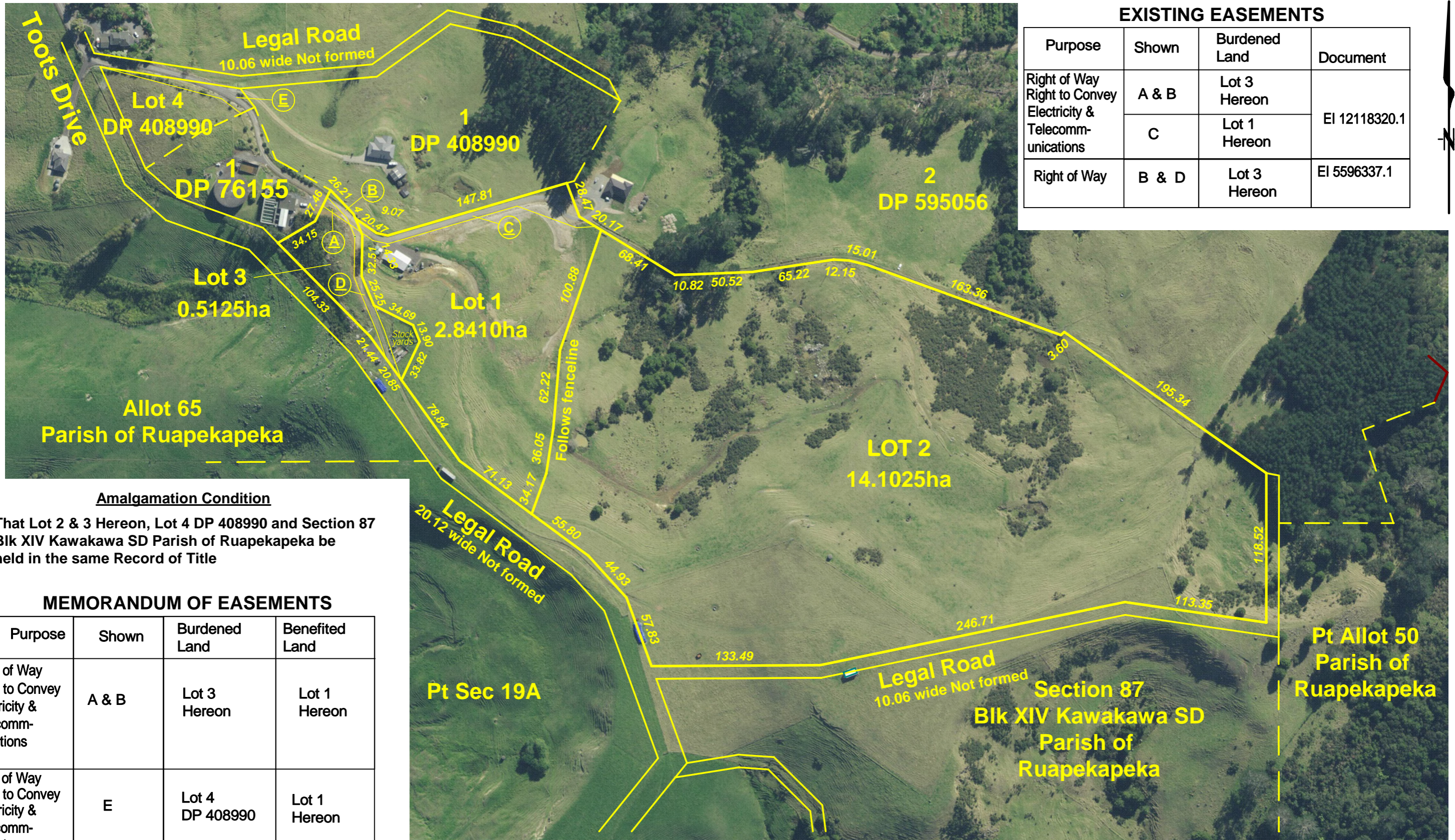
- The proposal has been assessed as satisfying the statutory requirements to proceed without notification.

Signed 
Natalie Watson,
Resource Planner

Date 1 April 2026
WILLIAMS & KING
Kerikeri

10. APPENDICES

- Appendix 1** Scheme Plan
- Appendix 2** Record of Title
- Appendix 3** Top Energy Correspondence



EXISTING EASEMENTS

Purpose	Shown	Burdened Land	Document
Right of Way Right to Convey Electricity & Telecomm- unications	A & B	Lot 3 Hereon	EI 12118320.1
	C	Lot 1 Hereon	
Right of Way	B & D	Lot 3 Hereon	EI 5596337.1



Amalgamation Condition

That Lot 2 & 3 Hereon, Lot 4 DP 408990 and Section 87 Blk XIV Kawakawa SD Parish of Ruapekapeka be held in the same Record of Title

MEMORANDUM OF EASEMENTS

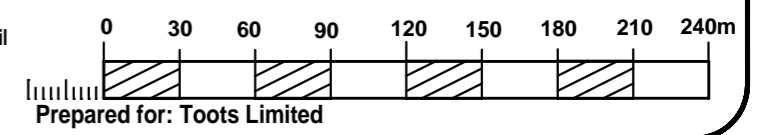
Purpose	Shown	Burdened Land	Benefited Land
Right of Way Right to Convey Electricity & Telecomm- unications	A & B	Lot 3 Hereon	Lot 1 Hereon
Right of Way Right to Convey Electricity & Telecomm- unications	E	Lot 4 DP 408990	Lot 1 Hereon

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.

For resource consent purposes only
Areas & measurements are subject to survey

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING
Local Authority: Far North District Council
Total Area: 27.8074ha
Comprised in: RT432985



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

**Proposed Subdivision of Lot 3 DP 408990
and easements over Lot 4 DP 408990**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:3000	A3
Design			
Drawn	W & K Mar 2026		
Rev			

23384.01



**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 **432985**
Land Registration District **North Auckland**
Date Issued 27 November 2008

Prior References
NA121D/382 NA285/144 NA35C/430

Estate Fee Simple
Area 27.8074 hectares more or less
Legal Description Section 87 Block XIV Kawakawa Survey
District and Lot 3-4 Deposited Plan 408990

Registered Owners
Toots Limited

Interests

Appurtenant part herein formerly contained in CT NA35C/430 is a right of way specified in Easement Certificate 626419.3 - 27.9.1976 at 10:47 am

Subject to a right of way over Lot 4 DP 408990 marked A on DP 408990 specified in Easement Certificate 626419.3 - 27.9.1976 at 10:47 am

The easements specified in Easement Certificate 626419.3 are subject to Section 37 (1) (a) Counties Amendment Act 1961

Subject to a right of way over Lot 3 DP 408990 marked B on DP 408990 created by Easement Instrument 5596337.1 - 22.5.2003 at 9:00 am

Subject to a right of way over Lot 4 DP 408990 marked A on DP 408990 created by Easement Instrument 5705174.2 - 25.8.2003 at 9:00 am

7986589.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 27.11.2008 at 3:58 pm (affects Lot 3 DP 408990)

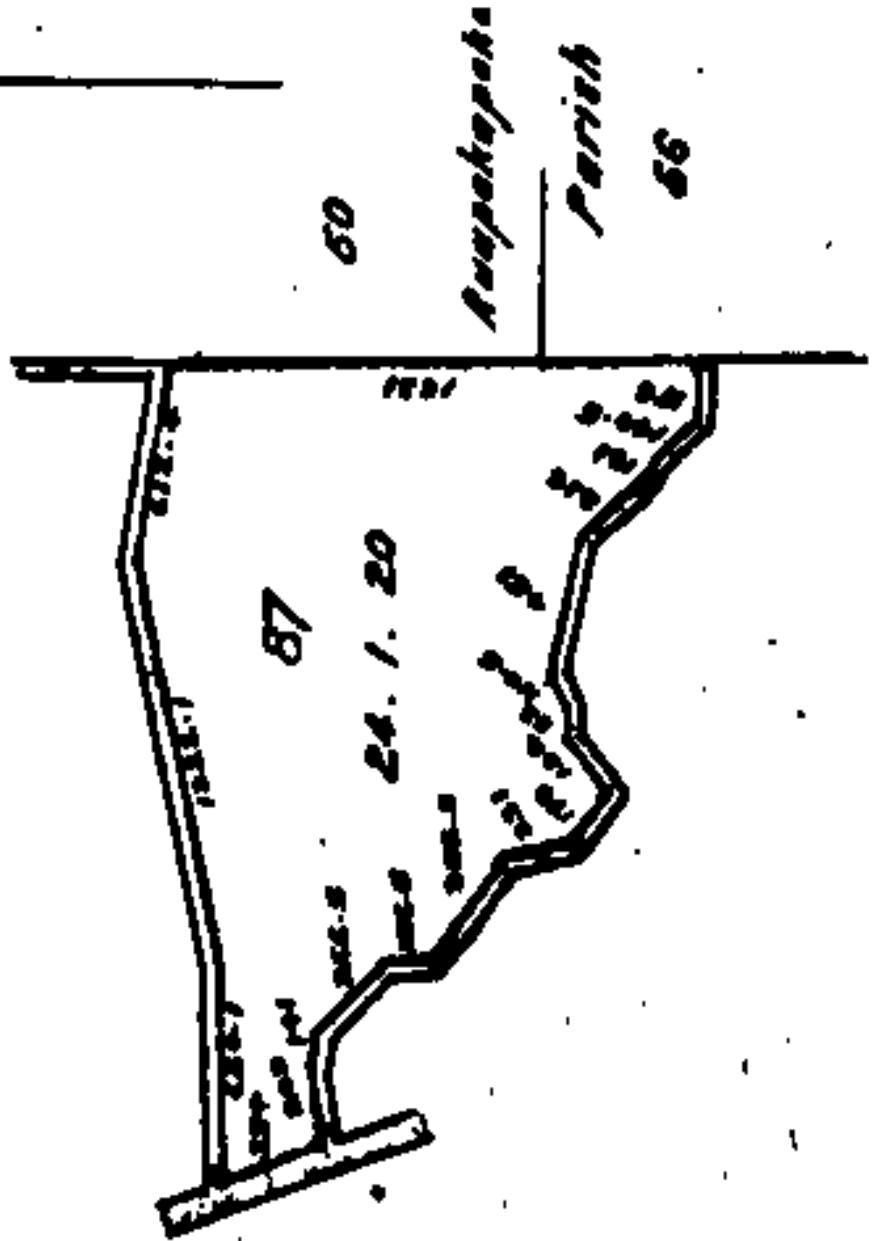
Subject to Section 241(2) Resource Management Act 1991 (affects DP 408990)

Appurtenant to Lot 3 DP 408990 is a right to convey and transmit electricity created by Easement Instrument 7986589.3 - 27.11.2008 at 3:58 pm

Subject to a right of way and right to convey electricity and telecommunications over Lot 3 DP 408990 over part marked A on DP 560716 and a right of way and right to convey electricity and telecommunications over Lot 4 DP 408990 over part marked B on DP 560716 created by Easement Instrument 12118320.1 - 18.6.2021 at 11:35 am

12147417.4 Mortgage to ASB Bank Limited - 18.6.2021 at 2:17 pm

XVI KAWAYANA S.D.



626419.3

EC \$1.00

Approved by the Registrar General of Land, Wellington. No. 725812

NEW ZEALAND

EASEMENT CERTIFICATE

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

I, LLOYD GEORGE DOEL of Taumarere, Farmer

being the registered proprietor of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 14th day of July 1975 under No. 76155 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO.

Nature of Easement (e.g., Right of Way, etc.)	SERVIENT TENEMENT		Dominant Tenement Allotment No(s).	Title Reference
	Allotment No.	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way ✓	Pt. Section 52 ✓	"C" ✓	Lot 1 ✓	32C/606
Right of Way ✓	Pt. Lot 1 / ✓	"D" ✓	Pt. Sec. 52 ✓	94/93

NOTE:
Please show each allotment that is a servient tenement separately.

1. Rights and powers:

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

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

[Faint, illegible text]

Dated this 1st day of June

1976.

Signed by the above-named LLOYD GEORGE DOEL)
in the presence of)

L. G. Doel

Witness: *Ray Atkins*
Occupation: *Solicitor*
Address: *Wharfedale*

No.

EASEMENT CERTIFICATE

situated in North Auckland Land Registry

Particulars entered in the Register-book,

Vol. , folio

the

at o'clock.

Assistant Land Registrar
of the District of North Auckland

The easements referred to herein when created will be subject to section 37 (1) (a) of the Counties Amendment Act 1961.

Registration of Transfer 626419.4 creates the easements specified herein

EC \$10

an easement which has been created or is to be created on the 70153-

RISHWORTH, KENNEDY & CO.
SOLICITORS
WHANGAREI, N.Z.

Correct for the purposes of the Land Transfer Act.

Solicitor for the Registered Proprietor.

RIGHTS AND POWERS OF GRANTEES IMPLIED IN CERTAIN EASEMENTS BY SECTION 90D OF THE LAND TRANSFER ACT 1952

"1. RIGHT OF WAY

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass, with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery, and implements of any kind, over and along the land over which the right of way is granted or created.

"2. RIGHT TO CONVEY WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the source of supply or point of entry, as the case may be, and following the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"3. RIGHT TO DRAIN WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain and discharge water (whether rain, tempest, spring, soakage, or seepage water) in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule (or, where open drains are provided for, similar rights in regard to those drains, with the necessary modifications as are provided for in respect of pipe lines in the additional rights so set out).

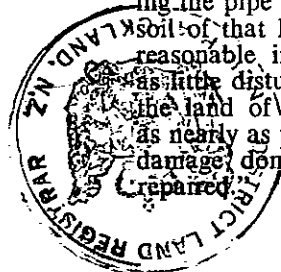
"4. RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain, discharge, or convey sewage and other waste material and fluid in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"5. ADDITIONAL RIGHTS ATTACHING TO EASEMENTS OF RIGHT TO CONVEY WATER AND OF RIGHT TO DRAIN WATER AND OF RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) for the purposes of the easement concerned—

- (a) To use any line of pipes already laid on the stipulated course or any pipe or pipes in replacement or in substitution for all or any of those pipes:
- (b) Where no such line of pipes exists, to lay, place and maintain, or to have laid, placed, and maintained, a line of pipes of a sufficient internal diameter or over the surface (as the parties decide) of the land over which the easement is granted or created and along the line defined for the purpose where such a line has been so defined:
- (c) In order to construct or maintain the efficiency of any such pipe line, the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his tenants, servants, agents, and workmen, with any tools implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created (or, where only the position of the pipe line is defined in the easement, upon such part of the land of the grantor and by such route as is reasonable in the circumstances) and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.



PP 27 10 47 AM '72

DISTRICT LAND REGISTRY AUCKLAND NO. 3

626419.4
32C/646
35C/430



Approved by Registrar-General of Land under No. 2002/6055

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

Sections 90A and 90F, Land Transfer Act 19

EI 5596337.1 Easemen

Land registration district

NORTH AUCKLAND



Cpy - 01/01.Pgs - 007.26/05/03.09:12



DocID: 310880236

Grantor

Surname(s) must be underlined or in CAPITALS.

David Glyn DOEL (1/2 share) and Hilda-Anne Marcia DOEL (1/2 share)

Grantee

Surname(s) must be underlined or in CAPITALS.

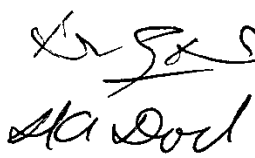
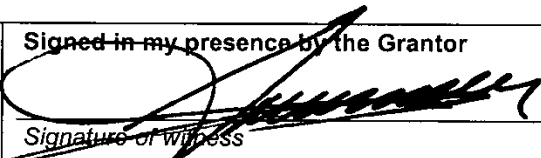
H M COOKSON AND SONS LIMITED

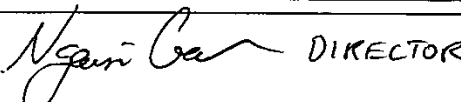

Grant* of easement or profit à prendre or creation or covenant

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

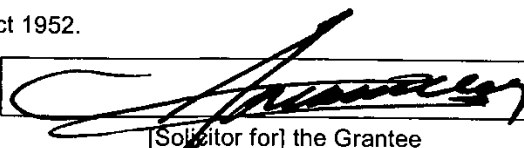
Dated this 9th day of April 2002

Attestation

 Signature [common seal] of Grantor	Signed in my presence by the Grantor  Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness name Occupation PETER GILMOUR MACAULEY SOLICITOR KAIKOHE Address

 DIRECTOR NGAIRE COOKSON  Director RICHARD MARSHALL Cookson. Signature [common seal] of Grantee	Signed in my presence by the Grantee Signature of witness Witness to complete in BLOCK letters (unless legibly printed) Witness name Occupation Address
--	---

Certified correct for the purposes of the Land Transfer Act 1952.


[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.



Easement instrument

Dated 9th April 2003

Page 1 of 2 pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenements (Identifier/CT or in gross)
Easement of Right of Way	The part marked "A" on D.P. 314273	NA 35C/430	NA 745/77 and NA 1311/47

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

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are [~~varied~~] [~~negated~~] [~~added to~~] or [~~substituted~~] by:

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

[the provisions set out in Annexure Schedule 2].

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

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

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

[Annexure Schedule 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box

Ngani Carr *K M Cookson* *David*

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement Instrument

Dated 9th April 2003

Page 2 of 2 pages

(Continue in additional Annexure Schedule, if required.)

"Easements or profits a prendre rights and powers (including terms, covenants and conditions)"
continued

1. Where there is any conflict or inconsistency in the rights and powers implied in the easement of right of way by the Land Transfer Regulations 2002 and the Ninth Schedule of the Property Law Act 1952, the former shall prevail.

2. No Notice pursuant to Sections 126C, 126D and 126E of the Property Law Act 1952 shall be available for the purposes of altering or upgrading the state of the land over which the right of way is granted unless it is first agreed in writing by both the registered proprietors for the time being of the servient and dominant tenements respectively that the right of way shall be altered or upgraded as the case may be.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

Ngari *[Signature]* *[Signature]* *[Signature]*

RC 2030937

FAR NORTH DISTRICT COUNCIL

FAR NORTH TRANSITIONAL DISTRICT PLAN (BAY OF ISLANDS SECTION)
FAR NORTH PROPOSED DISTRICT PLAN

IN THE MATTER of the Local Government Act 1974

AND

IN THE MATTER of an application under the aforesaid Act by
H M COOKSON & SONS LIMITED

APPLICATION

Application for a Right of Way Easement over Part Section 52 Parish of Ruapekapeka (Pt CT NA35C/430), marked 'A' on attached Plan 314273, in favour of to Allotment 65 and Section 19A Parish of Ruapekapeka (CT 745/77 and CT 1311/47).

The site in respect of which the right of way easement application is made is located off Reservoir Rd, Kawakawa.

DELEGATION

Under the authority delegated to the Manager Resource Consents of the Far North District Council, the application was considered and determined.

DECISION

THAT pursuant to Section 348 of the Local Government Act 1974, Council grants consent to the application being RC 2030937 by H M Cookson & Sons Ltd for a Right of Way Easement over Part Section 52 Parish of Ruapekapeka (Pt CT NA35C/430) in favour of Allotment 65 and Section 19A Parish of Ruapekapeka (CT 745/77 and CT 1311/47), such land being situated off Reservoir Rd, Kawakawa.

CONSENT ISSUED UNDER DELEGATED AUTHORITY:



P J KILLALEA
RESOURCE CONSENTS MANAGER

Date 8th May 2003

THIS DECISION WAS PREPARED BY
RESOURCE PLANNER: Lynley Newport

IN THE MATTER of the Land Transfer Act 1952

AND

IN THE MATTER of Memorandum of Mortgage
C.0940853.3 affecting the
land in Certificate of Title
NA35C/430 (North Auckland
Registry)

CONSENT OF MORTGAGEE

THE NATIONAL BANK OF NEW ZEALAND LIMITED the Mortgagee under and by
virtue of Mortgage C.0940853.3 affecting the land comprised and described in
Certificate of Title NA35C/430 (North Auckland Registry) HEREBY CONSENTS to the
creation of the Easement of Right of Way more particularly specified in the Schedule
hereto.

SCHEDULE

An Easement of Right of Way over the part marked "A" on Deposited Plan 314273
appurtenant to all the land in Certificates of Title NA745/77 and NA1311/47 (North
Auckland Registry).

DATED this 10th day of April 2003

THE NATIONAL BANK OF NEW ZEALAND LIMITED

by its Attorneys KAPUA KATRINA GARDINER

in the presence of:

K Menezes

**PLEASE CONFIRM
BY WORKSHEET**

**KEVIN MENEZES
BANK OFFICER
AUCKLAND**

It is hereby further certified that the said Rural
Banking and Finance Corporation of New
Zealand Limited changed its name to the Rural
Bank Limited.
(as is evidenced by No. C236182.1)
(Registry)

) K Gardiner
)
)

"The execution of this document
by the Bank is without prejudice
to all the other rights and
remedies of the Bank of
whatsoever nature"

It is hereby further certified that the
above Memorandum of Mortgage has
become vested in the National Bank of
New Zealand Limited by virtue of the
National Bank of New Zealand Limited
Act 1994

It is hereby certified that the said Mortgage (s) /
Instrument (s) / Debenture (s) has / have become
vested in Rural Banking and Finance Corporation
of New Zealand Limited by virtue of the
provision of the Rural Banking and Finance
Corporation of New Zealand Act 1989



The National Bank
of New Zealand Limited

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **KAPUA KATRINA GARDINER** Manager Lending Services of Auckland in New Zealand **HEREBY CERTIFY:**

1. **THAT** by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013.1

The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

2. **THAT** at the date of this Certificate, I am the Manager Lending Services, Auckland Regional Support Centre of the Bank.

3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

DATED at Auckland the 10th day of April 2003

Katrina Gardiner

Approved by Registrar-General of Land under No. 2002/6055

Easement instrument to grant easement or profit à prendre, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952

Land registration district

NORTH AUCKLAND



EI 5705174.2 Easement I

Cpy - 01/01.Pgs - 005.25/08/03.09:29



Grantor

Surname(s) mu...

David Glyn DOEL (1/2 share) and Hilda-Anne Marcia DOEL (1/2 share)

Grantee

Surname(s) must be underlined or in CAPITALS.

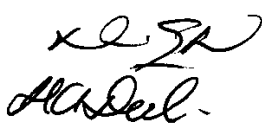
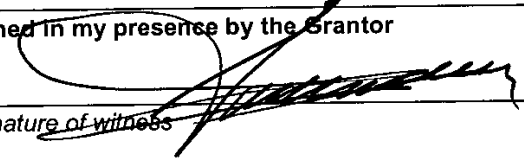
H M COOKSON AND SONS LIMITED

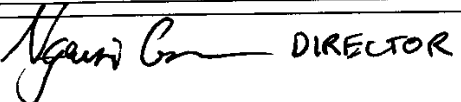
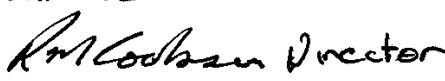
Grant* of easement or profit à prendre or creation or covenant

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

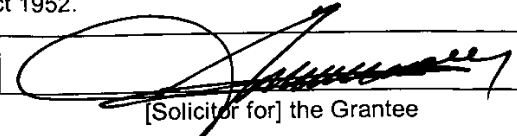
Dated this 23rd day of July 2003

Attestation

 Signature [common seal] of Grantor	Signed in my presence by the Grantor  Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness name Occupation PETER GILMOUR MACAULEY SOLICITOR KAIKOEHE Address

 NGAIRE COOKSON  RICHARD MARSHALL COOKSON Signature [common seal] of Grantee	Signed in my presence by the Grantee Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness name Occupation Address

Certified correct for the purposes of the Land Transfer Act 1952.


[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.



Easement instrument Dated 23rd July 2003 Page 2 of 3 pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Easement of Right of Way	The part marked "C" on DP 76155	NA 35C/430	NA 745/77 and NA 1311/47

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

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and for the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are [varied] [negatived] [added to] or [substituted] by:

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

[the provisions set out in Annexure Schedule 2].

Covenant provisions

Delete phrases in [] and insert memorandum number as required.
 Continue in additional Annexure Schedule if required.

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

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

[Annexure Schedule 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box

[Handwritten signatures: Harold, [unclear], Ngani, R.M. Cookburn]

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement Instrument

Dated

23rd July 2003

Page

3

of

3

pages

(Continue in additional Annexure Schedule, if required.)

"Easements or profits a prendre rights and powers (including terms, covenants and conditions)"
continued:

1. Where there is any conflict or inconsistency in the rights and powers implied in the easement of right of way by the Land Transfer Regulations 2002 and the Ninth Schedule of the Property Law Act 1952, the former shall prevail.

2. No Notice pursuant to Sections 126C, 126D and 126E of the Property Law Act 1952 shall be available for the purposes of altering or upgrading the state of the land over which the right of way is granted unless it is first agreed in writing by both the registered proprietors for the time being of the servient and dominant tenements respectively that the right of way shall be altered or upgraded as the case may be.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

AC Wood

[Signature]


Ngani Co R.M. Cookson

IN THE MATTER of the Land Transfer Act 1952

AND

IN THE MATTER of Memorandum of Mortgage
C.094085.3 affecting the land
in Certificate of Title
NA35C/430 (North Auckland
Registry)

CONSENT OF MORTGAGEE

 THE NATIONAL BANK OF NEW ZEALAND LIMITED the Mortgagee under and by
virtue of Mortgage C.094085.3 affecting the land comprised and described in Certificate
of Title ~~NA35C/430~~^{35C/430} (North Auckland Registry) HEREBY CONSENTS to the creation of the
Easement of Right of Way more particularly specified in the Schedule hereto.

*
IT IS HEREBY certified that the above Memorandum of Mortgage has become vested
in The National Bank of New Zealand Limited by virtue of The National Bank of
New Zealand Limited Act 1994.

THE execution of this document by the Bank is without prejudice to all the other rights
and remedies of the Bank of whatsoever nature.


SCHEDULE

An Easement of Right of Way over the part marked "C" on Deposited Plan 76155
appurtenant to all the land in Certificates of Title NA745/77 and NA1311/47 (North
Auckland Registry).


DATED this 17th day of July 2003

THE NATIONAL BANK OF
NEW ZEALAND LIMITED

By its Attorney in the presence of:)


KAPUA KATRINA CARDINER

*
It is hereby further certified that the said Rural
banking and Finance Corporation of New
Zealand Limited changed its name to The rural
Bank Limited
(as is evidenced by No. C.236182.1)
(Auckland Registry).


RUTH MAUIGOA
REGISTERED OFFICER
AUCKLAND

Correct for the purposes of The Land
Transfer Act 1952


Solicitor for the parties



The National Bank of New Zealand Limited

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, KAPUA KATRINA GARDINER Manager Lending Services of Auckland in New Zealand **HEREBY CERTIFY:**

1. **THAT** by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013.1

The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

2. **THAT** at the date of this Certificate, I am the Manager Lending Services, Auckland Regional Support Centre of the Bank.
3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

DATED at Auckland the 17th day of July 2003





View Instrument Details

Instrument No. 7986589.1
Status Registered
Date & Time Lodged 27 Nov 2008 15:58
Lodged By Jonson, Jan Dorothy
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
432983	North Auckland
432984	North Auckland
432985	North Auckland

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Simon David Dominick as Territorial Authority Representative on 27/11/2008 03:17 PM

*** End of Report ***



**Far North
District Council**

Private Bag 752, Memorial Ave

Kaitiaki 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC 2070078

the Subdivision of Lot 4 DP 192197, Secs 51 & 52 Parish of Ruapekapeka
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c)(ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified under each condition below.

SCHEDULE


Lots 1-3 DP 408990

- i. The Applicant and any future owner shall be aware of the recorded archaeological sites registered against the Certificate of Title, and the potential for the existence of unrecorded sites.
- ii. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi or human remains.
- iii. 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 the rural fire service equipment or be fitted with a sprinkler system approved by Council.

Additionally, the following condition shall be registered against the Certificate of Title for Lot 2 DP 408990

- (i) That the quarry adjacent to the pa site Q05/395 not be extended any further towards the pa site.

SIGNED:


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

Mr P J Killalea

DATED at Kerikeri this 19th day of September 2008



Instrument No. 7986589.3
Status Registered
Date & Time Lodged 27 Nov 2008 15:58
Lodged By Jonson, Jan Dorothy
Instrument Type Easement Instrument



Affected Computer Registers	Land District
432983	North Auckland
432984	North Auckland
432985	North Auckland

Annexure Schedule: Contains 2 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Simon David Dominick as Grantor Representative on 27/11/2008 02:30 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Simon David Dominick as Grantee Representative on 27/11/2008 02:30 PM

*** End of Report ***

Form B

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

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

Grantor

Bruce Campbell BELL and Helen Sheila BELL

Grantee

Bruce Campbell BELL and Helen Sheila BELL

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

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

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey and Transmit Electricity	D on DP 408990	Lot 1 DP 408990 CT 432983	Lots 2 and 3 DP 408990 CTs 432984 and 432985

Form B - continued

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

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

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

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

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

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

Covenant provisions

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

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

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

~~[Annexure Schedule -]~~

View Instrument Details



Instrument No 12118320.1
Status Registered
Date & Time Lodged 18 June 2021 11:35
Lodged By Nelson, Alwyn Johannes
Instrument Type Easement Instrument



Affected Records of Title	Land District
432984	North Auckland
432985	North Auckland

Annexure Schedule Contains 3 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Caveator under Caveat 11981273.1 has consented to this transaction, which is subject to the Caveat, and I hold that consent
- I certify that the Mortgagee under Mortgage 10469720.2 has consented to this transaction and I hold that consent
- Mortgage 10470091.2 does not affect the burdened land, therefore the consent of the Mortgagee is not required

Signature

Signed by Alwyn Johannes Nelson as Grantor Representative on 18/06/2021 11:33 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Alwyn Johannes Nelson as Grantee Representative on 18/06/2021 11:34 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

Kalica Farms Limited

Grantee

Kalica Farms Limited

Grant of Easement or *Profit à prendre*

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

Schedule A
required

Continue in additional Annexure Schedule, if

Purpose of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
See Annexure Schedule Attached	See Annexure Schedule Attached	See Annexure Schedule Attached	See Annexure Schedule Attached

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

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

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

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby ~~[varied] [negatived] [added to] or [substituted]~~ by:

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017]

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

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form L

Annexure Schedule

Page 1 of 1 Pages

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required

Purpose of Easement, or profit	Shown (plan reference) DP 560716	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of way, Right to convey electricity & telecommunications	A	Lot 3 DP 408990 RT 432985	Lot 2 DP 408990 RT 432984
Right of way, Right to convey electricity & telecommunications	B	Lot 4 DP 408990 RT 432985	Lot 2 DP 408990 RT 432984



Top Energy Limited

Level 2, John Butler Centre
60 Kerikeri Road
P O Box 43
Kerikeri 0245
New Zealand
PH +64 (0)9 401 5440
FAX +64 (0)9 407 0611

24 March 2026

Natalie Watson
Williams & King
PO Box 937
KERIKERI 0230

Email: nat@saps.co.nz

To Whom It May Concern:

RE: PROPOSED SUBDIVISION
Toots Limited – 55 Toots Drive, Kawakawa. Lot 3 DP 408990.

Thank you for your recent correspondence with attached proposed further subdivision scheme plans.

Top Energy's requirement for this subdivision is nil. Design and costs to provide a power supply could be provided after application and an on-site survey have been completed.

Link to application: [Top Energy | Top Energy](#)

In order to get a letter from Top Energy upon completion of your subdivision, a copy of the resource consent decision must be provided.

Yours sincerely

Aaron Birt
Planning and Design
T: 09 407 0685
E: aaron.birt@topenergy.co.nz