

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — both available on the Council's web page.

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

☒ Yes ☐ No

4. Consultation

Have you consulted with Iwi/Hapū? ☐ Yes ☒ No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Hugh and Yvette Hall

Email:

[REDACTED]

Phone number:

Work [REDACTED] Home

Postal address:

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

Postcode

6. Address for Correspondence

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

Name/s:

Northland Planning & Development 2020 Ltd

Email:

[REDACTED]

Phone number:

Work [REDACTED] Home

Postal address:

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

112 Commerce Street, Kaitaia

Postcode 0441

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

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

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

Name/s:

Hugh Morgan Hall and Yvette Mauriel Hall

**Property Address/
Location:**

263 Munn Road, Kaitaia

Postcode

8. Application Site Details

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

Name/s:

Hugh and Yvette Hall

**Site Address/
Location:**

263 Munn Road,

Kaitaia

Postcode

Legal Description:

Lot 1 DP42502 and Sec 44 Blk X

Val Number:

Certificate of title:

NA1137/112 & NA1131/77

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

Site visit requirements:

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

Is there a dog on the property? ☒ Yes ☐ No

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

Please contact applicant to arrange site visit.

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.

Subdivide by way of boundary adjustment where there will not be an increase in the number of titles. The proposal has been assessed as a Controlled Activity under the ODP.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

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

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

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

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

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

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)	Hugh & Yvette Hall	
Email:	[REDACTED]	
Phone number:	Work [REDACTED]	Home [REDACTED]
Postal address: (or alternative method of service under section 352 of the act)	263 Munn Road Kaitia Postcode 0481	

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Signature:

(signature of bill payer)

Yvette Hall	Date 21/10/15
[REDACTED]	

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

Wette Hall

Signature:

[Redacted Signature]

Date 21/10/20

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

Checklist (please tick if information is provided)

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

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

Subdivision Resource Consent Proposal

Hugh & Yvette Hall

263 Munn Road, Kaitaia

Date: 5 November 2025

Please find attached:

- an application form for a Subdivision Resource Consent for a boundary adjustment where there will be no increase in the number of titles or allotments created in the **Rural Production Zone** and;
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The subdivision application has been assessed as a **Controlled Activity** under the Operative District Plan and a **Permitted Activity** under the Proposed Far North District Plan.

If you require further information, please do not hesitate to contact me.

Regards,



Alex Billot

Resource Planner

Reviewed by:



Sheryl Hansford

Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Appendices

- 1. Far North District Council Application Form**
- 2. Certificate of Title NA1131/77 – LINZ**
- 3. Certificate of Title NA1137/112 - LINZ**
- 4. Subdivision Scheme Plan – Von Sturmiers**



Assessment of Environment Effects Report

1. DESCRIPTION OF THE PROPOSED ACTIVITY

Subdivision

- 1.1. The proposal is to undertake a subdivision by way of boundary adjustment between Section 44 Block X Takahue SD and Lot 1 DP42502, which are both held in the ownership of the Applicant. The proposal is to adjust the boundaries to establish a more uniform configuration and enable ease of access to the lots. Currently, Section 44 runs along the road boundary, with an area to the north large enough to establish a dwelling and associated onsite services, and the remainder of the lot to the south being narrow such that it is not feasible to be utilised productively. Section 44 has a land area of 2.2 hectares. Lot 1 DP42502 is a larger productive allotment of just over 25 hectares and contains an existing dwelling and associated onsite services.
- 1.2. The proposal will see the boundaries adjusted such that Section 44 will become Proposed Lot 1 with a larger more usable area of land of 7 hectares. Lot 1 DP42502 (Proposed Lot 2) will decrease in size to 20.6 hectares and contain the existing dwelling and associated services as well as the remainder of the farming unit.
- 1.3. The proposed lots are as follows:
 - Proposed Lot 1 = 7 hectares (currently 2.2 hectares)
 - Proposed Lot 2 = 20.6 hectares (currently 25.69 hectares)

Areas and measurements are subject to final survey.



Figure 1: Current lot configuration.

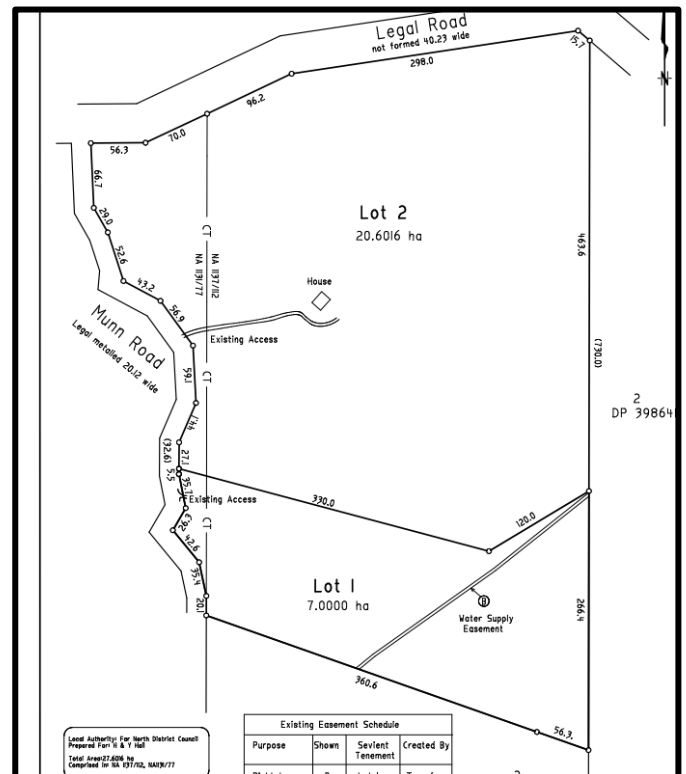


Figure 2: Proposed lot configuration.



- 1.4. Given the land area of Section 44 will be increasing to 7 hectares and the balance lot will remain over 20 hectares, the proposed boundary adjustment is not considered to increase the degree of non-compliance and as such, is considered to comply with the thresholds for a **Controlled Boundary Adjustment**, as will be discussed further in this report.

2. THE SITE AND SURROUNDING ENVIRONMENT

- 2.1. The subject sites are zoned as Rural Production. The sites are located at 263 Munn Road, Kaitaia. The majority of Munn Road is not maintained by Council, with the users of the road, including the Applicant, maintaining the road at their own cost. The road is of low use given the nature of the environment.
- 2.2. The sites themselves are bound by Munn Road along the western boundary and an unformed paper road on the northern boundary. To the east and south are lots utilised for productive use or bush clad lots. The subject sites are currently utilised as grazed farmland with a dwelling and associated onsite servicing.
- 2.3. The allotments to the south are shown to be part of PNA Waikawa Bush which are also subject to QEII Covenants. Allotments to the west are shown to be part of PNA Herekino Bush and also being subject to QEII covenants. The QEII covenants are not shown to encroach into the subject site, however some areas of PNA area shown to encroach into the sites boundaries however these portions of the site are open farmland and not bush areas, as depicted in Figure 3 below.



Figure 3: Aerial image of the subject site and surrounding environment showing areas of PNA and QEII to the west and south.

Site Photos

2.4. A site visit was undertaken in October 2025, with a compilation of the photos taken below.



Figure 5: Image of existing access to the dwelling to be contained within Lot 2.



Figure 4: Looking towards Proposed Lot 1 from the access to Proposed Lot 2.



Figure 6: Image of Proposed Lot 1, looking towards the access to Lot 1 as well as the existing yards.



Figure 7: Southern boundary of Proposed Lot 1. Grazed farmland within Proposed Lot 1.



- 3.6. There are some localized areas of the site shown to be susceptible to river flood areas (100 year + climate change extent). These are located well outside of the existing built development within Proposed Lot 2 with ample area outside of these areas for future development within Proposed Lot 1.
- 3.7. Reticulated services are not available to the sites. The existing dwelling has existing provisions for water supply, wastewater disposal and stormwater attenuation as will be discussed further in this report. There is ample area within Proposed Lot 1 for any future onsite services.
- 3.8. The sites are not known to have been previously or currently utilised for activities listed on the HAIL.
- 3.9. The sites are not mapped as having any archaeological sites present.
- 3.10. The sites are shown to contain soils of LUC 4 & 6, which are not classified as being highly versatile soils. As such, it is considered that consent under the National Policy Statement for Highly Productive Land (NPS for HPL) is not triggered and no further assessment will be undertaken within this report.
- 3.11. The sites are not known to be located within a Statutory Acknowledgement Area. The sites are within the Deed of Settlement Area for Te Hiku o Te Ika iwi and Treaty Settlement Area of Interest for Te Rarawa.



Figure 9: NRC Hazard Maps showing 100 year + CC flood areas within the site.

4. WEIGHTING OF PLANS

- 4.1. The sites are zoned as Rural Production under the Proposed District Plan and are subject to the Treaty Settlement Area of Interest Overlay.
- 4.2. The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. It is apparent from the summary of submissions relating to the applicable zone that a large number relate to the application of these provisions. Based on the volume and comprehensive nature of these submissions, the Council has confirmed that no other rules will have legal effect until such time as a decision is made on those provisions.
- 4.3. District Plan hearings on submissions are currently underway and are scheduled to conclude in November 2025. No decision on the PDP has been issued. For this reason, little weight is given to the PDP provisions.



5. ACTIVITY STATUS OF THE PROPOSAL

Operative District Plan

- 5.1. The subject sites are located within the Rural Production Zone. An assessment of the relevant subdivision, zone and district wide rules of the District Plan is set out in the tables below.

Subdivision

Assessment of the applicable Subdivision Rules for the Rural Production Zone:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
13.7.1	BOUNDARY ADJUSTMENTS	Controlled Activity Boundary Adjustments to lots may be carried out as a Controlled (subdivision) activity provided that: (a) There is no change in the number and location of any access to the lots involved – Complies (b) There is no increase in the number of certificates of titles – Complies (c) The area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone as a controlled activity in all zones except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased – Complies - The proposal is not considered to change the degree of non-compliance given that the proposal will result in an overall increase in the size of the smaller allotment and the larger allotment will remain over 20 hectares. - Proposed Lot 1 = 7 hectares (currently 2.2 hectares) - Proposed Lot 2 = 20.6 hectares (currently 25.6 hectares) (d) The area effected by the boundary adjustment is within or contiguous with the area of the original lots – Complies (e) All boundary adjusted sites must be capable of complying with all relevant land use rules – Complies (f) All existing onsite drainage systems must be wholly contained within the boundary adjusted sites – Complies – Proposed Lot 2 will contain the existing onsite systems which will be wholly contained within the new lot boundaries.
13.7.2.2	ALLOTMENT DIMENSIONS	Permitted Proposed Lot 2 will contain the existing built development. Proposed Lot 1 will be vacant with ample area for a 30m by 30m building envelope.
13.7.2.3 – 9	Not Applicable for this application.	



- 5.2. The proposal is therefore assessed as a **Controlled Activity** subdivision by way of boundary adjustment.

Rural Production Zone Standards

- 5.3. Proposed Lot 2 will contain the existing dwelling, metalled access and onsite services. Proposed Lot 1 will be vacant land. As such, an assessment of Section 8.6.5.1 of the Operative District Plan will be undertaken below.

ASSESSMENT OF THE PERMITTED RURAL PRODUCTION ZONE RULES:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
8.6.5.1.1	RESIDENTIAL INTENSITY	Permitted Proposed Lot 2 will contain the existing dwelling and Proposed Lot 1 will be vacant. The first dwelling on a site is exempt from this rule.
8.6.5.1.2	SUNLIGHT	Permitted The existing structures within Lot 2 are of sufficient distance from all proposed boundaries such that there is no breach of the sunlight provisions.
8.6.5.1.3	STORMWATER MANAGEMENT	Permitted. The existing impermeable surface coverage within the proposed lots are considered to be far less than 15% of the respective site areas.
8.6.5.1.4	SETBACK FROM BOUNDARIES	Permitted. The existing structures within Lot 2 are of sufficient distance from all proposed boundaries such that there is no breach of the setback provisions.
8.6.5.1.5	TRANSPORTATION	A full assessment has been undertaken in the table below.
8.6.5.1.6	KEEPING OF ANIMALS	Not applicable.
8.6.5.1.7	NOISE	Not applicable.
8.6.5.1.8	BUILDING HEIGHT	No new buildings sought.
8.6.5.1.9	HELICOPTER LANDING AREA	Not applicable.
8.6.5.1.10	BUILDING COVERAGE	Permitted



		The total building coverage within Lot 2 is anticipated to be far less than the permitted allowance of 12.5% of the total site area.
8.6.5.1.11	SCALE OF ACTIVITIES	Not applicable
8.6.5.1.12	TEMPORARY EVENTS	Not applicable.

District Wide Matters

DISTRICT WIDE MATTERS		
Plan Reference	Rule	Performance of Proposal
15.1.6A	TRAFFIC	Permitted Activity The permitted one-way daily traffic movements within the Rural Production Zone is 60. The first residential unit is exempt from this rule. Lot 2 will include one residential dwelling, which is exempt. Lot 1 will be vacant.
15.1.6B	PARKING	Permitted Activity Proposed Lot 2 has existing vehicle parking and manoeuvring areas which will remain unchanged as part of this proposal. These areas can be designed at the time of built development within Lot 1.
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	Not Applicable. No private accessways are proposed. Lots 1 & 2 have independent access from Munn Road.
15.1.6C.1.2	PRIVATE ACCESSWAYS IN URBAN ZONES	Not applicable.
15.1.6C.1.3	PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	Not Applicable.
15.1.6C.1.4	ACCESS OVER FOOTPATHS	Not applicable.
15.1.6C.1.5	VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	Permitted. Access to each allotment will be via existing crossing places from Munn Road. It is considered that these existing crossing places meet the required standards.
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.



15.1.6C.1.7	GENERAL ACCESS STANDARDS	Permitted. (a) There is no need for vehicles to reverse off site. (b) Not applicable. (c) The sides of the driveway will remain in grass. (d) Stormwater will be managed on site.
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	Permitted. Munn Road is considered to be constructed to the required standard. It is noted that the maintenance of the road is at the cost of the users, such that Council do not pay to maintain the road. No upgrades of the carriageway within the road reserve are considered necessary given that the proposal will not see an increase in the number of allotments with access to the road. No encroachments of the road reserve into the subject sites are known.
15.1.6C.1.9 – 11	Not applicable to this development.	

Operative District Plan Overall Status

- 5.6 The proposed boundary adjustment can comply with the provisions set out under Rule 13.7.1 and is therefore assessed as a Controlled Activity Boundary Adjustment.
- 5.7 In accordance with *Controlled Activities 13.7.3* the subdivision by way of boundary adjustment will be assessed as a **Controlled Activity**. The relevant sections of Chapter 13 will be assessed as part of this application.

Proposed Far North District Plan

- 5.8 Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, are detailed below:

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable. The proposal does not include the establishment of a new significant hazardous facility or a significant hazardous facility within a scheduled site or area of significance to Māori, within a SNA or within a scheduled heritage resource.
Heritage Overlays	Area All rules have immediate legal effect (HA-R1 to HA-R14)	Not applicable.



	All standards have immediate legal effect (HA-S1 to HA-S3)	The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10)	Not applicable. The site is not located within an area noted as being of Historic Heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.
Sites and Areas of Significance to Maori	All rules have immediate legal effect.	Not applicable. The site does not contain any scheduled sites and areas of significance to Māori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable. The site does not contain any ecosystems or indigenous biodiversity to which these rules would apply.
Subdivision	The following rules have immediate legal effect: SUB-R6 - Environmental Benefit Subdivision. SUB-R13 - Subdivision of a site within a heritage area overlay. SUB-R14 - Subdivision of a site that contains a scheduled heritage resource. SUB-R15 - Subdivision of a site containing a scheduled site and area of significance to Māori. SUB-R17 - Subdivision of a site containing a scheduled SNA	Permitted. The site is not an environmental benefit subdivision; the site does not contain any heritage overlays; scheduled heritage resources; a scheduled site and area of significance to Māori or; any SNA's.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13	Permitted.



	The following standards have immediate legal effect: EW-S3, EW-S5	Any earthworks will comply with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable. No signs are proposed as part of this application.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

- 5.9 The assessment above indicates the proposal is able to comply with the Proposed District Plan rules that have immediate legal effect. Under the Proposed District Plan, this activity will be assessed as a **Permitted Activity**.

National Environmental Standards

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NЕСS)

- 5.10 The sites are not known to currently be or have previously been utilised for activities listed on the HAIL. The proposal is therefore not considered to trigger assessment under the NESCS. The proposal is considered Permitted in terms of this regulation.

Other National Environmental Standards

- 5.11 No other National Environmental Standards are considered applicable to this development.



6. STATUTORY ASSESSMENT

Section 104A of the Act

- 6.1. Section 104A governs the determination of applications for Controlled Activities. With respect to Controlled Activities, a consent authority may not refuse an application, unless s106 applies. Council may impose conditions under s108 only for those matters which control is reserved in a national environmental standard, an operative or proposed plan or other regulations.

Section 104(1) of the Act

- 6.2. Section 104(1) of the Act states that when considering an application for resource consent- *“the consent authority must, subject to Part II, have regard to –*
- (a) Any actual and potential effects on the environment for allowing the activity; and*
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
 - (b) Any relevant provisions of –*
 - (i) A national environmental standard*
 - (ii) Other regulations*
 - (iii) A national policy statement*
 - (iv) A New Zealand Coastal Policy Statement*
 - (v) A regional policy statement or proposed regional policy statement*
 - (vi) A plan or proposed plan; and*
 - (c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.’*
- 6.3. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of the Act). As will be discussed below, the proposal will have actual and potential effects that are acceptable.
- 6.4. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes 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’. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. As noted above, the proposed development itself will generate positive effects that are consistent with the intent of the Rural Production zone and surrounding environment.
- 6.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided below.
- 6.6. Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.’ There are no other matters relevant to this application.



7. ENVIRONMENTAL EFFECTS ASSESSMENT

- 7.1. Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.

Subdivision

- 7.2. The proposal is a Controlled activity as per Rule 13.7.1. The criteria within 13.7.3 of the District Plan is therefore to be used for assessment of the subdivision, in conjunction with the matters set out under Sections 104, 104A, and 106 of the Resource Management Act 1991. An assessment that corresponds with the scale and significance of the effects on the environment is provided below.

PROPERTY ACCESS

- 7.2.1. The access, parking and manoeuvring arrangements will remain unchanged for the dwelling on Lot 2. Both lots will utilise existing crossing places to the sites.
- 7.2.2. The proposal will not see an increase in the number of users nor any change to the existing situation for access, parking and manoeuvring. Given this, it is anticipated that no upgrade to the carriageway within the road reserve will be required. Furthermore, the Applicant has advised that the users of the road maintain the road carriageway at their own cost.
- 7.2.3. The proposal is not considered to create effects that would be more than minor in regard to access and given the nature of the proposal, the provisions provided are considered reasonable for the surrounding environment.

NATURAL HAZARDS

- 7.2.4. As mentioned, there are a couple of areas of localized flooding within the eastern portion of the site. Given that development is existing within Lot 2 and is located outside of the areas identified as being susceptible to flood hazards, as well as there being ample area within Lot 1 to develop outside of these areas, no adverse effects in terms of inundation and flooding are considered applicable to this proposal.
- 7.2.5. In regard to s106 of the Act, it is considered that there is no significant risk from natural hazards applicable, which would allow Council to refuse subdivision consent. The proposal is not considered to accelerate, worsen or result in material damage of any kind.

WATER SUPPLY

- 7.2.6. Proposed Lot 2 contains existing water tanks which service the built development on the site. The sites are not in an area which benefit from reticulated water supply. Water supply for Lot 1 can be provided for at the time of built development on the lot. Council's standard consent notice condition in relation to water supply for fire fighting purposes is anticipated to be issued on the title for Lot 1.



STORMWATER DISPOSAL

- 7.2.7. Councils' infrastructure is not available to this site. Therefore, stormwater must be managed on site.
- 7.2.8. Built development is existing within Lot 2, with stormwater from buildings being collected into water storage tanks. It is considered that stormwater management will be designed at the time of built development within Lot 1. As such, it is considered that the proposal does not create adverse effects in terms of stormwater disposal.

SANITARY SEWAGE DISPOSAL

- 7.2.9. Lot 2 contains an existing wastewater system which services the existing dwelling. It is anticipated that an onsite wastewater system will be designed at the time of built development within Lot 1. As Lot 1 is 7 hectares in area, it is considered there are multiple areas which could be developed with a dwelling and onsite servicing.
- 7.2.10. It is therefore considered that the proposal will not create any adverse or cumulative effects in relation to wastewater disposal.

ENERGY SUPPLY & TELECOMMUNICATIONS

- 7.2.11. The sites are zoned as Rural Production and therefore electricity supply and telecommunications are not a requirement for this rural subdivision.
- 7.2.12. The sites are not known to be located within 20 metres of an electrical transmission line designed to operate at or above 50kV. The provision of energy supply and telecommunications is not anticipated to be a condition of consent for this proposal, given the underlying zoning for the sites.

EASEMENTS FOR ANY PURPOSE

- 7.2.13. The existing easement for water supply will be brought forward to the new title for Lot 1 as per the scheme plan. There are no proposed easements.

PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES

- 7.2.14. The site does not contain any known significant areas of indigenous flora or fauna. The site is not shown to be within an area of Outstanding Natural Landscape or feature. There are areas of QEII located to the west and south of the site, which are not shown to encroach into the site boundaries. The site is currently utilised as grazed farmland. The site is within an area of kiwi present and is located over 1.4 kilometres from an area of kiwi high density, as such, it is considered an advice note advising that the sites are within a kiwi present area is satisfactory in this instance. No consent notice conditions in relation to kiwi are anticipated.
- 7.2.15. There are no archaeological sites listed within the property. The site is not known to contain any areas of lakes, rivers or wetlands. There are manmade ponds onsite which are utilised for stock.



ACCESS TO RESERVES AND WATERWAYS

7.2.16. The site is not known to adjoin or contain any areas of reserves or waterways that would benefit from public access.

LAND USE COMPATIBILITY

7.2.17. The proposal is for a subdivision by way of boundary adjustment which will see more uniform allotments created which will increase the productive potential of the lots, whilst enabling more opportunities for built development on the vacant lot increasing the potential of the sites. The proposal will not increase the number of titles or the number of allotments and will not create any additional development rights. The proposal will not alter the physical appearance of the site. No reverse sensitivity effects or incompatible land use is anticipated given the existing use of the sites will remain unchanged.

PROXIMITY TO AIRPORTS

7.2.18. Not applicable as the subject sites are not located in close proximity to an airport.

8. POLICY DOCUMENTS

8.1. In accordance with section 104(1)(b) of the Act the following documents are considered relevant to this application.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

8.2. As detailed, the proposal is considered to be Permitted in terms of the NESCS.

Other National Environmental Standards

8.3. No other National Environmental Standards are considered applicable to this development. The proposal is permitted in terms of the above-mentioned documents.

National Policy Statements

8.4. There are currently 8 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity.
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023



Regional Policy Statement

- 8.5. The role of The Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.
- 8.6. The proposal will not alter the physical appearance of the allotments nor will the proposal see an increase in development rights. The number of titles or allotments will not increase as a result of the proposal. No adverse effects on outstanding landscapes, natural features or the coastal environment are anticipated. The proposal will allow better utilisation of the lots.
- 8.7. Due to the above, it is considered that there will be no reverse sensitivity effects as the proposal will create allotments which are not objectionable to the surrounding environment and maintain the amenity of the area and the Rural Production zone.

Far North Operative District Plan

- 8.8. In terms of the objectives and policies for the Rural Environment and Rural Production zone, the proposal does not result in infringements of the permitted rule standards for the underlying zone and is therefore considered to be anticipated by the plan and consistent with development in the area and zone in general. Given the subdivision activity is assessed as a Controlled Activity, it is also considered that the proposal is anticipated by the plan and therefore does not result in adverse effects. The proposal will not alter the character or amenity of the sites or surrounding environment.
- 8.9. As assessed above, it is considered that the proposed subdivision will generate no more than minor effects on the receiving environment, including the adjacent sites. The proposal is considered consistent with the relevant objectives and policies of the ODP.

Proposed District Plan

- 8.10. Under the Proposed District Plan, the site is zoned Rural Production. The proposal is considered to create no more than minor effects on the rural environment and is consistent with the intent of the surrounding environment and the zone. The proposal is considered to be consistent with the Objectives and Policies of the Proposed District Plan.

Summary

- 8.11. The above assessment of the relevant policy documents demonstrates that the proposal will be consistent with the relevant objectives and policies of those statutory documents.

9. SECTION 125 – LAPSING OF CONSENT

- 9.1. The Act prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as determined by the Council. It is requested that the standard provisions be applied in this instance.



10. NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT

Public Notification Assessment

- 10.1. Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:

Step 1 Mandatory public notification in certain circumstances

(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 2.

(3) The criteria for step 1 are as follows:

(a) the applicant has requested that the application be publicly notified:

(b) public notification is required under section 95C:

(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

- 10.1.1. It is not requested the application be publicly notified and the application is not made jointly with an application to exchange reserve land. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Public Notification precluded in certain circumstances.

(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(5) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:

(b) the application is for a resource consent for 1 or more of the following, but no other, activities:

(i) a controlled activity:

(ii) [Repealed]

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

(iv) [Repealed]

(6) [Repealed]

- 10.1.2. The application is for a Controlled Activity, therefore Step 3 does not apply and Step 4 must be considered.

Step 4; Public notification in special circumstances

(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

- 10.1.3. There are no special circumstances that exist to justify public notification of the application because the proposal is for a subdivision by way of boundary adjustment where there will not



be an increase in the number of titles or allotments. Hence the proposal is not considered to be exceptional or unusual.

Public Notification Summary

- 10.2. From the assessment above it is considered that the application does not need to be publicly notified, but assessment of limited notification is required.

Limited Notification Assessment

- 10.3. If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

11.2.1 Step 1: Certain affected groups and affected persons must be notified.

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) Determine—

(a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and

(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

- 10.3.1. No customary rights groups or marine titles groups are considered to be affected. The proposal is not known to be subject to a statutory acknowledgement area. As such, it is considered that no notification is required. Therefore, Step 2 must be considered.

Step 2: Limited notification precluded in certain circumstances.

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(6) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification;

(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

- 10.3.2. There is no rule in the plan or national environmental standard that precludes notification. The application is not for a prescribed activity but is for a subdivision proposal. Therefore Step 2 does not apply and Step 3 must be considered.

Step 3: Certain other affected persons must be notified.

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application.

The proposal is not for a boundary activity nor is it a prescribed activity.



10.3.3. The proposal is not for a boundary activity.

10.3.4. In deciding who is an affected person under section 95E, a council under section 95E(2):

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

10.3.5. A Council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.

10.3.6. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 7 of this report, which found that the potential adverse effects on the environment will be minor. In regard to effects on persons, the assessment provided within this report is also relied on and the following comments made:

- The size of the proposed allotments is consistent with the character of the allotments in the locality. Therefore, the proposed allotment sizes are not objectionable with the surrounding environment.
- The development is not considered to be contrary to the objectives and policies under the District Plan.
- All stormwater and onsite servicing can be managed within the site boundaries, such that there will be no downstream effects created.
- The proposal will offer allotments which will provide superior productive potential compared to what is currently in existence.
- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.

10.3.7. Therefore, no persons will be affected to a minor or more than minor degree.

10.3.8. Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),



10.3.9. The proposal is to subdivide by way of boundary adjustment. It is considered that no special circumstances exist in relation to the application.

Limited Notification Assessment Summary

10.4. Overall, from the assessment undertaken Steps 1 to 4 do not apply and there are no affected persons.

Notification Assessment Conclusion

10.5. Pursuant to sections 95A to 95G it is recommended that the Council determine the application be non-notified for the above-mentioned reasons.

11. PART 2 ASSESSMENT

11.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.

11.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations. It is considered that the proposal will safeguard the life-supporting capacity of air, water, soil and ecosystems. In addition, the proposal will avoid adverse effects on the environment and will maintain the character of the site and surrounding environment.

11.3. Section 6 of the Act sets out a number of matters of national importance. The subject site is not located near any lakes, rivers or wetlands. No adverse effects are anticipated on the coastal environment. There are no outstanding natural features or landscapes which are considered to be affected, nor any areas of significant indigenous vegetation or habitats of fauna. Public access is not considered relevant in this case. The site does not contain any areas identified as being a Site of Cultural Significance to Māori. The relationship of Māori and their culture is considered to remain unaffected by the proposal. Historic heritage and protected customary rights will not be affected by the proposal. The proposal is not anticipated to exacerbate natural hazards. It is considered that the effects of this proposal on Section 6 of the Act are considered to be less than minor.

11.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment.

11.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The proposal has taken into account the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.

11.6. Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by Sections 5-8 of the Act.



12. CONCLUSION

- 12.1. The proposal is to undertake a subdivision by way of boundary adjustment where there will not be an increase in the number of titles or allotments created. The proposal will provide a superior outcome by providing allotments which can be better utilized for productive use.
- 12.2. Due to the existing pattern of development in the area it is not considered that there are any adverse cumulative effects, and the proposal does not result in degradation of the character of the surrounding environment.
- 12.3. In terms of section 104(1)(b) of the Act, the actual and potential effects of the proposal will be less than minor. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 12.4. The relevant provisions within Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.
- 12.5. As a Controlled activity, the proposal has been assessed against the specific matters and limitations imposed by the District Plan. It is considered that the proposal results in no more than minor effects on the environment and the proposal is generally consistent with the relevant Objectives and Policies set out under the District Plan and the Regional Policy Statement. The development is considered appropriate for consent to be granted on a non-notified basis.

13. LIMITATIONS

- 13.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 13.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 13.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 13.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





**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

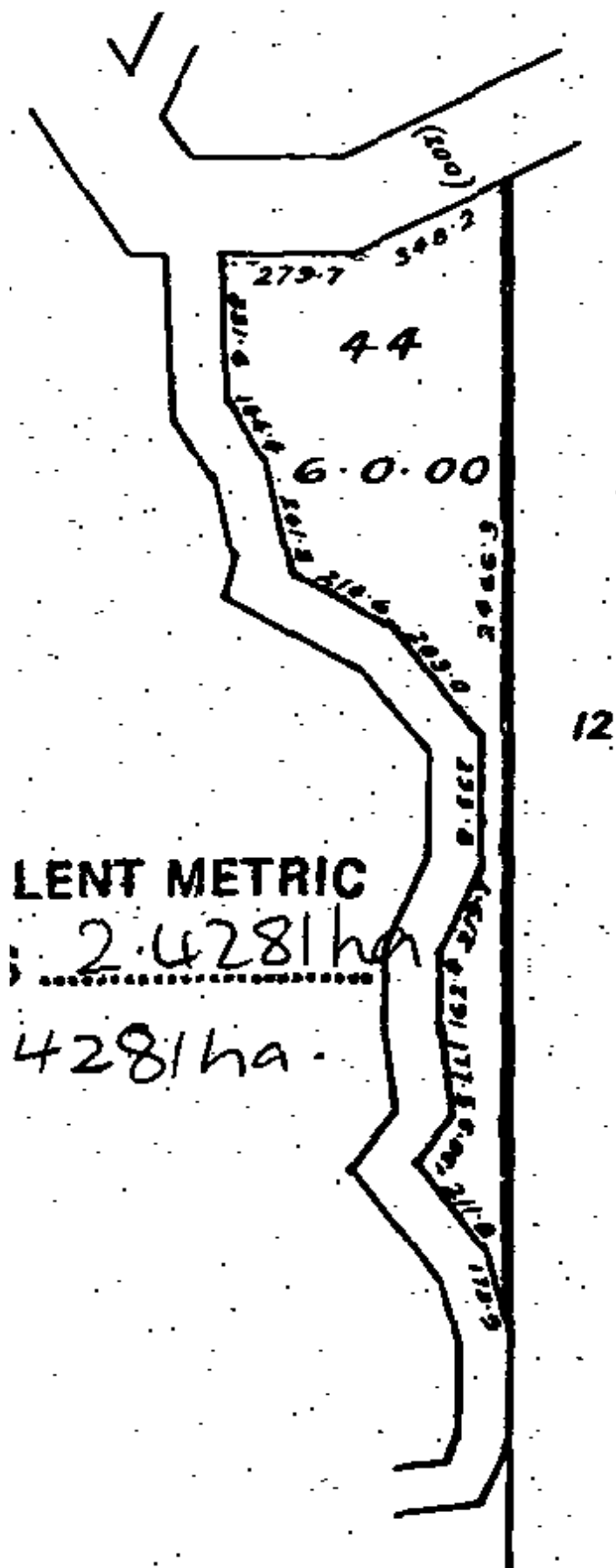
Identifier **NA1131/77**
Land Registration District **North Auckland**
Date Issued 15 April 1955

Prior References
NAPR209/92

Estate Fee Simple
Area 2.4281 hectares more or less
Legal Description Section 44 Block X Takahue Survey
District

Registered Owners
Hugh Morgan Hall and Yvette Mauriel Hall

Interests
Subject to Section 59 Land Act 1948





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

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Transfer Act 2017**



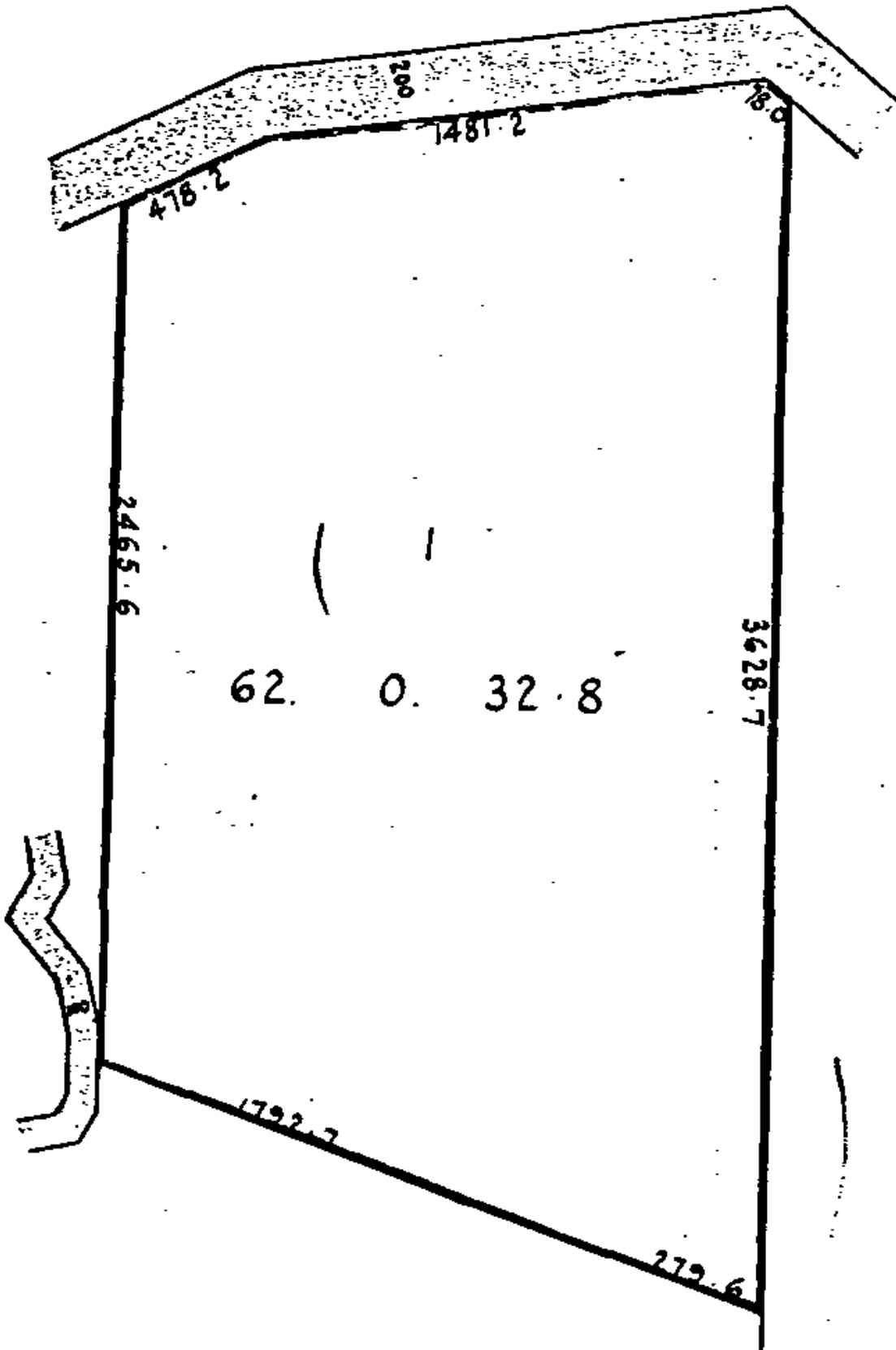

R.W. Muir
Registrar-General
of Land

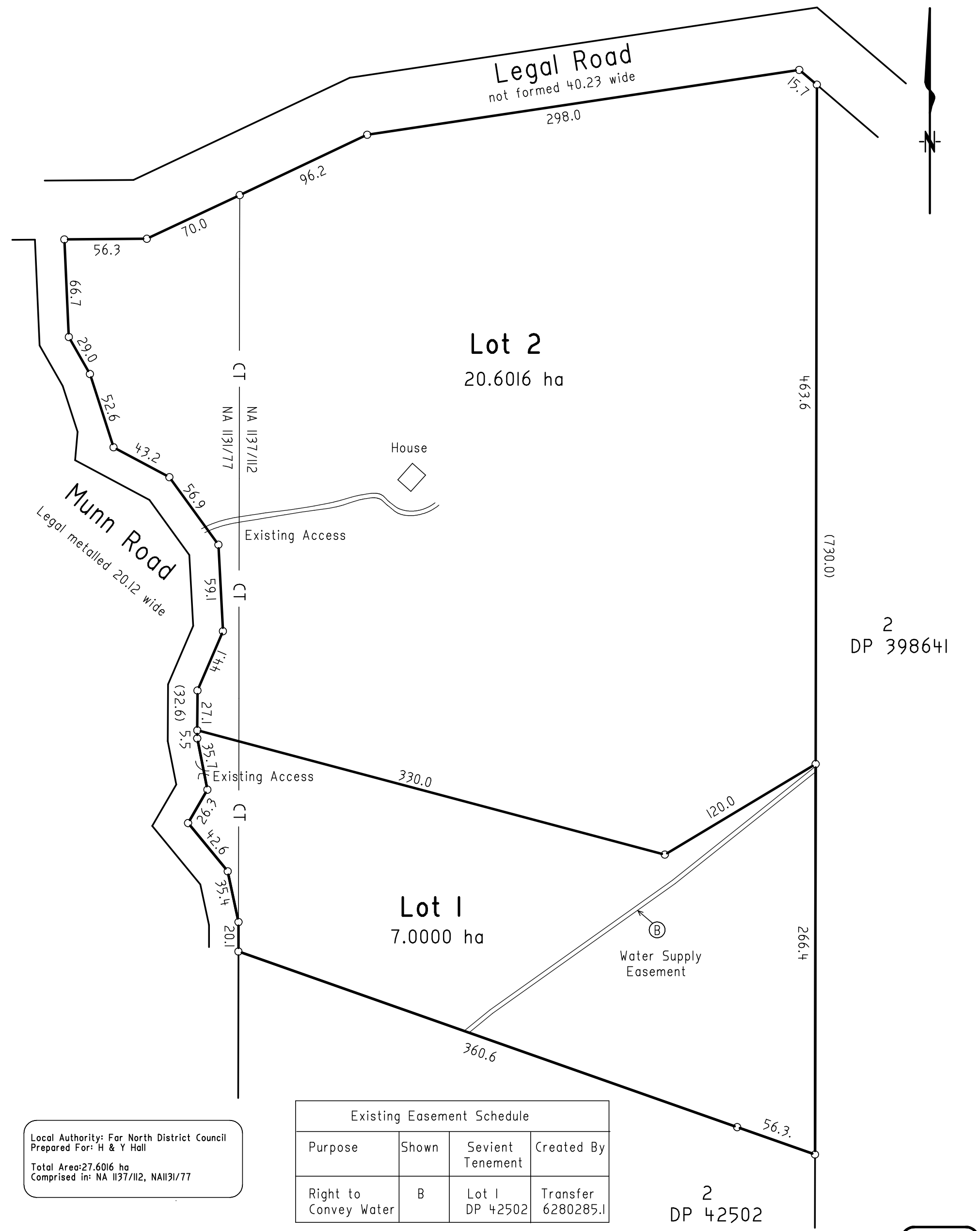
Identifier **NA1137/112**
Land Registration District **North Auckland**
Date Issued 20 April 1955

Prior References
NA1044/71

Estate Fee Simple
Area 25.1735 hectares more or less
Legal Description Lot 1 Deposited Plan 42502
Registered Owners
Hugh Morgan Hall and Yvette Mauriel Hall

Interests
Subject to Section 59 Land Act 1948
Subject to Section 8 Coal Mines Amendment Act 1950
Subject to a right to convey water over part marked B on DP 200274 created by Transfer 6280285.1 - 18.1.2005 at 9:00 am





Local Authority: Far North District Council
Prepared For: H & Y Hall
Total Area: 27.6016 ha
Comprised in: NA 1137/112, NA 1131/77

Existing Easement Schedule			
Purpose	Shown	Sevient Tenement	Created By
Right to Convey Water	B	Lot 1 DP 42502	Transfer 6280285.1

2
DP 42502

Surveyors
Ref.
Hall

Note: Areas and measurements are subject to final survey.

Lots 1 & 2 Being A Proposed Boundary Adjustment
Of Lot 1 DP 42502 & Sec. 44 Blk X Takahue S.D

Drawn: R Neave
Sept 2025

ORIGINAL
SCALE SHEET
SIZE
1:2500 A3