

Application for change or cancellation of resource consent condition (S.127)

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

Change of conditions (s.127)

3. 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

4. Applicant Details:

Name/s:

Kerry Alfred Farrand

Email:

Phone number:

Postal address:

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

5. Address for Correspondence

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

Name/s:

Steve Sanson - Bay of Islands Planning Limited

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.

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

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

Name/s:

Nickolas Glenn Farrand and Trustee Services (2020) Limited

Property Address/
Location:

7. Application Site Details

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

Name/s:

Refer 6 above

Site Address/
Location:

Refer 6 above

Postcode

Legal Description:

Lot 44 DP 532487

Val Number:

Certificate of title:

RT 871585

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

7. Application Site Details (continued)

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.

8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

9. Would you like to request Public Notification?

Yes No

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

(more than one circle can be ticked):

Building Consent

Regional Council Consent (ref # if known)

National Environmental Standard consent

Other (please specify)

11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application Yes

12. 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

13. Billing Details:

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

Name/s: (please write in full)

KERRY ALFRED FARRAND

Email:

Phone number:

Postal address:

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

Fees Information:

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

Declaration concerning Payment of Fees:

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

Name: (please write in full)

KERRY ALFRED FARRAND

Signature: (signature of bill payer)

Date 9-6-26

MANDATORY



**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

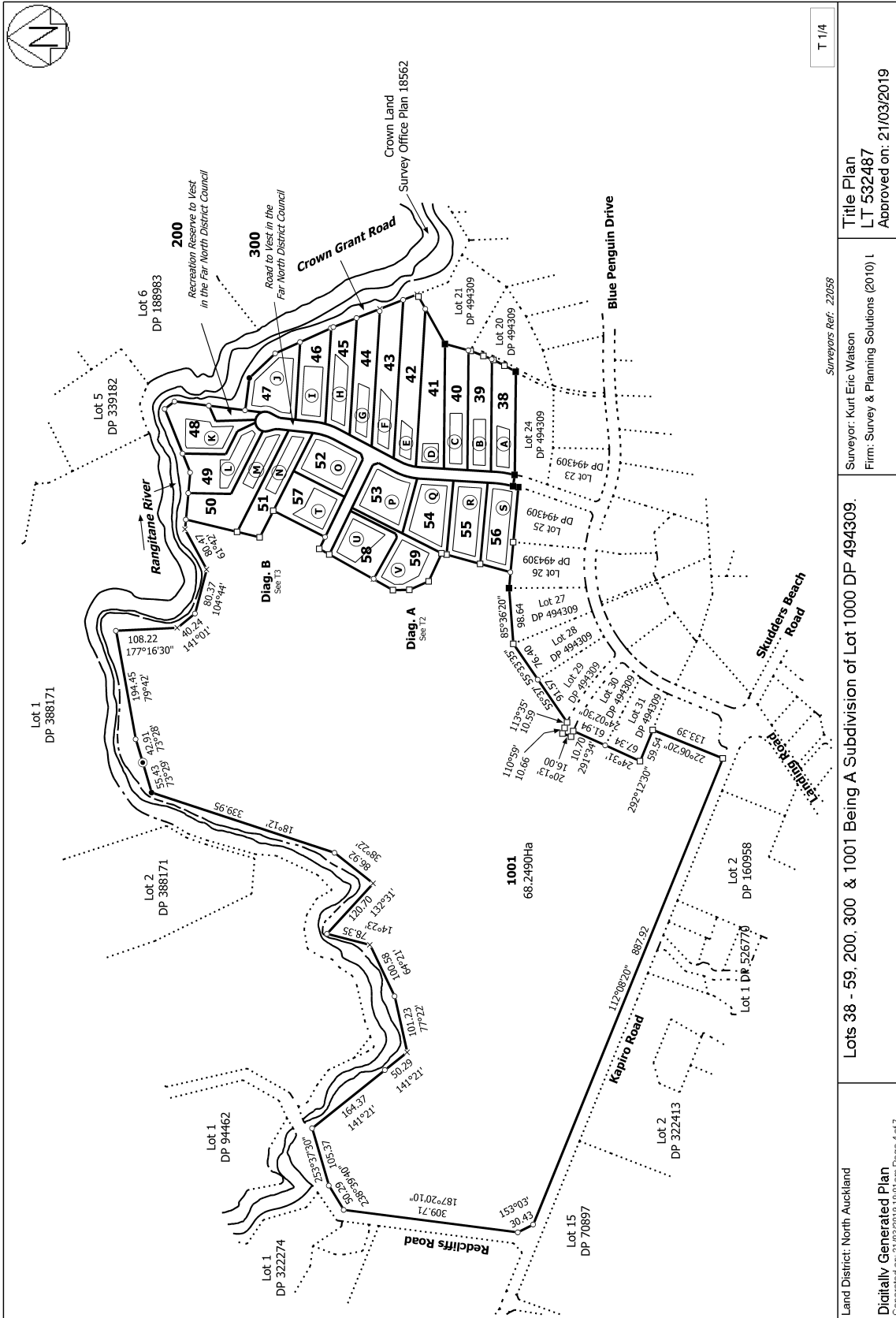
Identifier **871585**
Land Registration District **North Auckland**
Date Issued 30 August 2019

Prior References
728965

Estate Fee Simple
Area 9001 square metres more or less
Legal Description Lot 44 Deposited Plan 532487
Registered Owners
Nickolas Glenn Farrand and Trustee Services (2020) Limited

Interests

10388614.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.8.2016 at 2:54 pm
11406235.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.8.2019 at 4:18 pm
Land Covenant in Covenant Instrument 11658947.1 - 15.1.2020 at 3:27 pm (Limited as to duration)
Fencing Covenant in Transfer 11835848.1 - 29.4.2021 at 2:18 pm
12394002.1 Mortgage to ASB Bank Limited - 7.3.2022 at 12:13 pm



T 1/4

Surveyors Ref: 22059
Surveyor: Kurt Eric Watson
Firm: Survey & Planning Solutions (2010) L

Title Plan
LT 532487
Approved on: 21/03/2019

Land District: North Auckland
Digitally Generated Plan
Generated on: 21/03/2019 10:01 am Page 4 of 7

Lots 38 - 59, 200, 300 & 1001 Being A Subdivision of Lot 1000 DP 494309.

View Instrument Details



Instrument No 10388614.2
Status Registered
Date & Time Lodged 10 August 2016 14:54
Lodged By Wallace, Anne Michele
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
NA28A/800	North Auckland
NA80A/723	North Auckland
NA97B/194	North Auckland

Annexure Schedule: Contains 3 Pages.

Signature

Signed by Anthea Mary Coombes as Territorial Authority Representative on 24/08/2016 03:06 PM

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



Private Bag 752, Manukau Ave
Kaitiaki 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 401 5260
Fax: (09) 401 2197
Email: esk.us@fndc.govt.nz
Website: www.fndc.govt.nz

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THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2160062
Being the Subdivision of Section 26 BLK VII Kerikeri SD,
Pt Sec 3 BLK VII Kerikeri SD (SO1130) and Lot 1 DP 135938
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 below.

SCHEDULE

Lots 1- 32 – DP 494309

- i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.
- ii) In the event that the site remains undeveloped and that the landuse consent component of this decision lapses then the future development of the site (including any resource consent applications that may be required) shall be undertaken in general compliance with the design and development guidelines within the lapsed landuse decision (RC 2160062 issued by the Far North District Council dated 19th February 2016. This resource consent supercedes RC 2130171).
- iii) Pest and weed eradication measures established under the Building Development Landscape Plan and condition 11 of the landuse decision shall be implemented prior to and following the development of the site. The programme shall be maintained for the duration of the consent by the landowner.
- iv) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose.



Private Bag 752, Manawatu Ave
Kaitiaki 0440, New Zealand
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Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ask.us@fncc.govt.nz
Website: www.fncc.govt.nz

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These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

- v) When the vehicle crossing to the lot is finalized the lot owner/ developer shall apply to Council for a Vehicle Crossing Permit. The crossing is to be completed in accordance with the applicable Council Standards.
- vi) In conjunction with the construction of any building which includes a wastewater treatment and effluent disposal system the applicant shall submit for Council approval a site specific TP58 report prepared by a Chartered Professional Engineer or an approved TP58 report writer. The report shall be prepared generally in accordance with the onsite wastewater management section of the Engineers report prepared by Cook Costello Consulting Engineers (RC 2130171 and which is adopted into RC 2160062). The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment and disposal system can be fully contained within the lot boundary and that it complies with the Regional Water and Soil Plan Permitted Activity Standards.
- vii) In conjunction with the construction of any building the applicant shall submit for Council approval as part of the Building Consent application a report prepared by a suitably qualified engineer for the design of the stormwater management system in accordance with the recommendations relevant to that particular lot contained in the approved Addendum to the Subdivision Suitability Report prepared by Cook Costello and dated 29 October 2014.

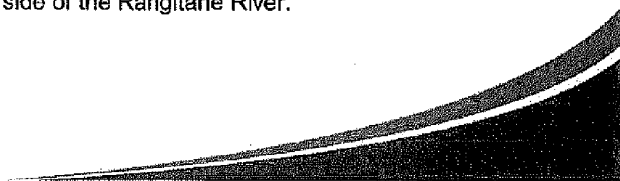
Lots 1-12, 17-20 & 22-32 – DP 494309

- viii) The lot is located within an area noted as having Kiwi present. Dogs within the lot shall remain under control at all times with cats kept inside in the evenings. It is also recommended that dogs within the lot should undertake Kiwi aversion training.

Lots 13-16, & 21 – DP 494309

- ix) No owners or occupiers of or visitors to any of the lots shall keep or introduce onto the land any carnivorous animal (such as cats, dogs, or mustelids) which have the potential to be Kiwi predators. This prohibition includes the bringing of any such animals onto the site by visitors and contractors.

Note: This requirement has been imposed as these allotments adjoin the Crown Grant Road and are immediately adjacent to high density kiwi populations located on the norther side of the Rangitane River.





Private Bag 752, Memorial Ave
Kaitiaki 0440, New Zealand
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Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ask.us@fnk.govt.nz
Website: www.fnk.govt.nz

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Lots 3, 4, 21, 25 & 26 – DP 494309

- x) For the purposes of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health these allotments are HAIL Sites. Prior to the commencement of any soil disturbance appropriate DSI Reports shall be completed and any required remediation and revalidation testing undertaken. An application to Council under the NES Regulations will be required where the Permitted thresholds of the NES Regulations are not met.

Lot 1000 only – DP 494309

- xi) Any site identified as a deposition area for material removed from Control Areas 1, 2 & 3 as required by condition 2(e) and which includes fill received from Control Areas 1, 2 & 3 is a HAIL site for the purposes of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and is therefore not suitable for residential development. The soil contaminants are to be tested and confirmed as being at or below levels considered suitable for recreational purposes.

SIGNED:


By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 27th day of July 2016



View Instrument Details



Instrument No 11406235.2
Status Registered
Date & Time Lodged 30 August 2019 16:18
Lodged By Wallace, Anne Michele
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



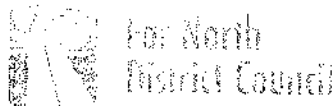
Affected Records of Title	Land District
728965	North Auckland

Annexure Schedule Contains 4 Pages.

Signature

Signed by Anthea Mary Coombes as Territorial Authority Representative on 30/08/2019 04:16 PM

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



Consent Notice No. 10/10/10/10/10

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2180235

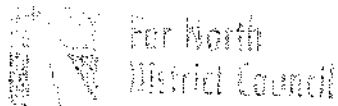
Being the Subdivision of Lot 1000 DP 494309
North Auckland Registry

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 below.

SCHEDULE

Lots 38-59 DP 532467

- (i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.
- (ii) In the event that the site remains undeveloped and that the landuse consent component of this decision lapses, then future development of the site (including any resource consent applications that may be required) shall be undertaken in general compliance with the design and development guidelines within the lapsed landuse decision (RC 2180235 issued by the Far North District Council)
- (iii) Pest and weed eradication measures established under the Building Development Landscape Plan and Condition 11 of the Landuse Decision shall be implemented prior to, and maintained, following the development of the site. The programme shall be maintained for the duration of the consent by the landowner.
- (iv) That upon the construction of dwelling a formed and concreted entrance to the boundary of each lot is to be provided in accordance with the Council standard FNDC/5/2.
- (v) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system, the applicant shall submit for Council's approval an onsite waste water report prepared by a Chartered Professional Engineer or an Council approved report writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area and reference the



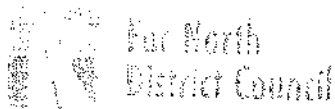
Reference to the Council's Website

"Engineering Report" dated February 2018, prepared by Haigh Workman Ltd, ref 17-233, and submitted with Resource Consent 2180235.

- (vi) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (vii) All buildings that require building consent will require an assessment of foundations and ground suitability by a suitably qualified and experienced practitioner (i.e. Chartered Professional Engineer). The assessment shall reference specifically geotechnical recommendations of the Engineering Subdivision report and plans produced by Haigh Workman Ltd, dated February 2018, ref 17 233, and submitted with RC 2180235.

Lots 38-42 and 51-59 DP 532487

- (viii) In conjunction with the construction of any building requiring building consent and the associated impermeable surface development on the lots, the lot owner shall submit for approval of council's Building Consent Authority a stormwater management report and design for a stormwater management attenuation system. The system shall be designed as such that the total stormwater discharged from the site, after development, is no greater than the pre development flow from the site for rainfall events up to a 10% AEP plus allowance for climate change. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer
- (ix) The lot owner(s) shall ensure on an ongoing basis that the maximum total of all impermeable surfaces (as defined within the Far North District Plan) on each individual lot does not exceed 800m² and that a Council approved stormwater management and mitigation system is in place. The system shall be designed so that the total stormwater discharged from the site, after development, is no greater than the pre-development flow from the site for rainfall events up to a 10% AEP plus allowance for climate change. The system shall be prepared by a suitably qualified and experienced Chartered Professional Engineer



Reference: W/18/01/002

Lots 43-50 DP 532487

- (x) In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the lot owner shall submit for approval of Council's Building Consent Authority a stormwater management report and design for a stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.
- (xi) The lot owner(s) shall ensure on an ongoing basis that the maximum total of all impermeable surfaces (as defined in the Far North District Plan) on each individual lot does not exceed 800m² and that a Council approved stormwater management and mitigation system is in place. The system shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.

Lots 38-42, 50, 51, and 54-59 DP532487

- (xii) Without the prior approval of the Council, no building shall be erected, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has been proposed or identified as a secondary / overland (Q100) flow paths described in Engineering report and plans produced by Haign Workman Ltd, dated February 2018, ref 17 233, and shown on the subdivision scheme plan submitted with RC 2180235.

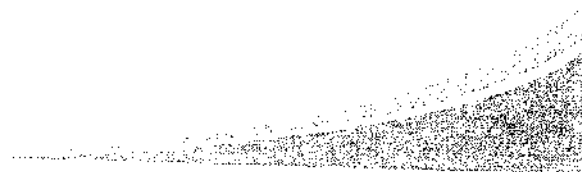
Lots 38-41, 51-59 DP532487

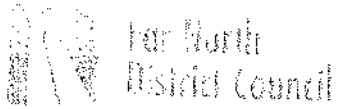
- (xiii) The lot is located within an area noted as having Kiwi present. Dogs within the lots shall remain under control at all times with cats kept inside in the evenings. It is also recommended that dogs within the lots should undertake Kiwi aversion training.

Lots 42-50 DP532487

- (xiv) No owners or occupiers of or visitors to any of the lots shall keep or introduce onto the land any carnivorous animal (such as cats, dogs, or mustelids) which have the potential to be Kiwi predators. This prohibition includes the bringing of any such animals onto the site by visitors and contractors.

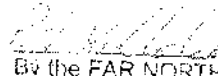
Note: This requirement has been imposed as these allotments adjoin the Crown Grant Road and are immediately adjacent to high density kiwi populations located on the northern side of the Rangitane River.



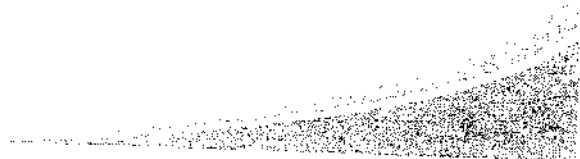


Te Kaitiaki Take Kōwhiri

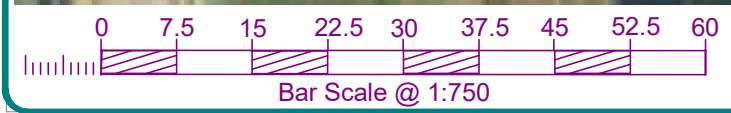
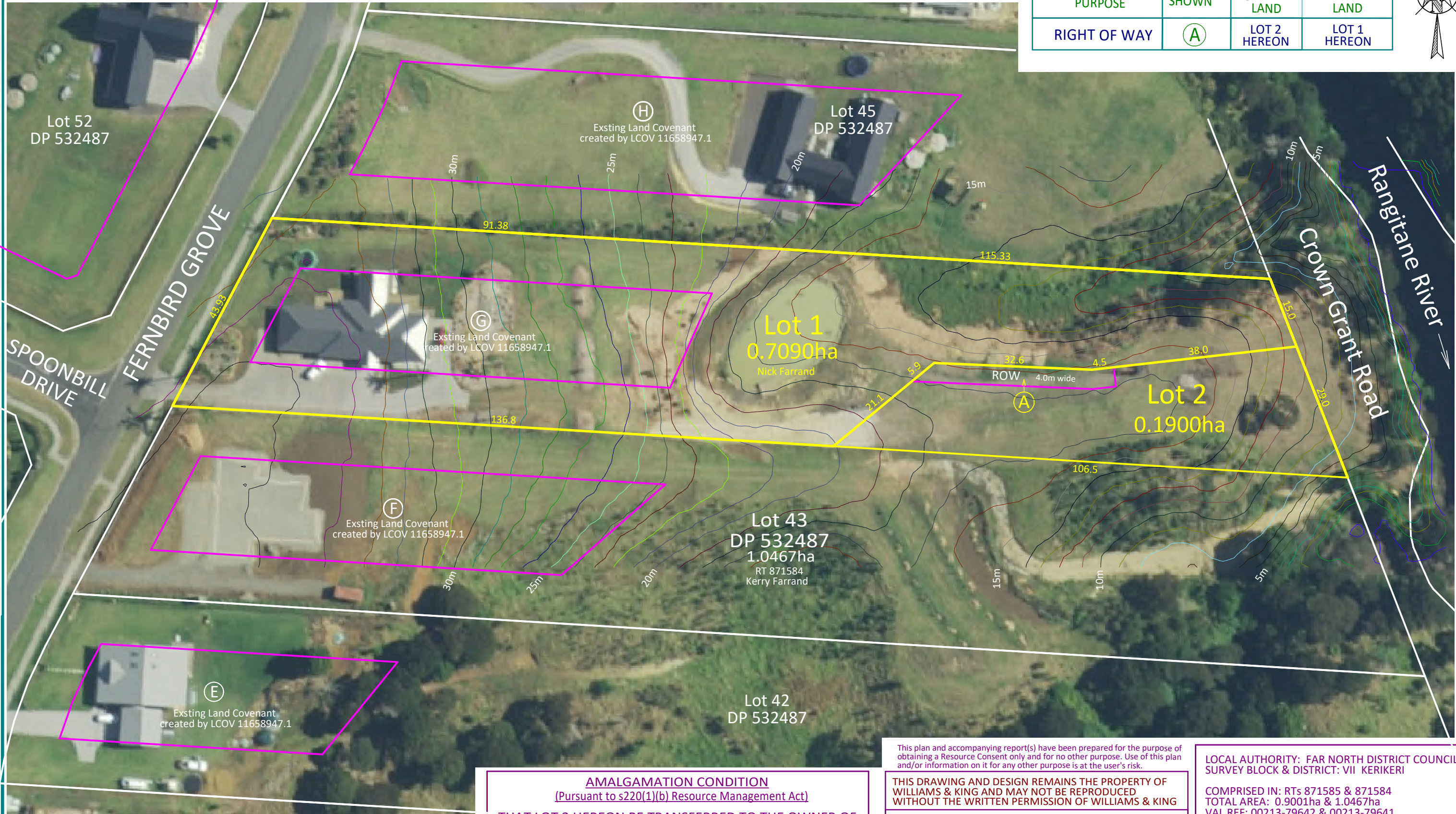
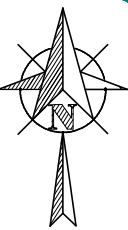
SIGNED:


Mr Patrick John Killalea - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority
PRINCIPAL PLANNER -- RESOURCE MANAGEMENT

DATED at KERIKERI this 23rd day of August 2019



MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
RIGHT OF WAY	(A)	LOT 2 HEREON	LOT 1 HEREON



AMALGAMATION CONDITION
(Pursuant to s220(1)(b) Resource Management Act)
THAT LOT 2 HEREON BE TRANSFERRED TO THE OWNER OF LOT 43 DP 532487 (RT 871584) AND THAT ONE RECORD OF TITLE BE ISSUED TO INCLUDE BOTH PARCELS

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.

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

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

CONTOUR DETAIL DERIVED VIA NRC LIDAR 2018 DATA & OVERLAID WITH northland-03m-rural-aerial-photos-2023-2025

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL
SURVEY BLOCK & DISTRICT: VII KERIKERI

COMPRISED IN: RTs 871585 & 871584
TOTAL AREA: 0.9001ha & 1.0467ha
VAL REF: 00213-79642 & 00213-79641

ZONE: COASTAL LIVING (ZONE MAP 79 & 80)
FEATURES: NIL (RESOURCE MAP 28)

WILLIAMS AND KING
Registered Land Surveyors, Planners & Land Development Consultants

Ph: (09) 407 6030
Fax: (09) 407 6032
Email: kerikeri@saps.co.nz

27 Hobson Ave
PO Box 937, Kerikeri

PROPOSED SUBDIVISION OF LOT 44 DP 532487

No 18 FERNBIRD GROVE, KERIKERI

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey	BK	2021.10.26	1:750 A3
Design			
Drawn			
Rev	A	2026.05.29	

23577_FARRAND_SCHEME_BDY ADJUST_update 2026.05.29.lcd

Surveyors Ref. No:
23577
Series
Sheet of

DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision resource consent for a Discretionary, subject to the conditions listed below to:

Council Reference:	2230123-RMASUB
Applicant:	Kerry Alfred Farrand
Property Address:	16 Fernbird Grove, Kerikeri
Legal Description:	Lot 43 DP 532487
Description of Application:	To subdivide by way of boundary adjustment, creating nil additional lots, in the Coastal Living Zone.

Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Williams and King, referenced '*Proposed Subdivision of Lots 43 & 44 DP 532487*', dated 2021.10.26, surveyors ref. no. 23577, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
 - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

2. If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Archaeological Sites

3. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an

archaeological site without an archaeological authority issued pursuant to that Act. 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 (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

General Advice Notes

4. This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).
5. During the assessment of your application, it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.
6. The consent holder is advised that the proposal is required to comply with consent notice conditions of 10388614.2 Consent Notice and 11406235.2 Consent Notice registered on the Computer Freehold Register (871584) except where the wording of the consent notice has been amended by a decision of the Far North District Council in accordance with section 221(3) of the Resource Management Act 1991.

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons, and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 13.7.1 and 13.10 are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. Cumulative effects are not considered likely to arise within the application site given that the application is only relocating an existing boundary around existing features. In addition, no physical works are required nor change of the intended use of the properties.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. National Policy Statement for Highly Productive Land 2022,

- b. Operative Far North District Plan 2009,
- c. Proposed Far North District Plan 2022

National Policy Statement for Highly Productive Land has the single objective of protecting highly productive land for use in land-based primary production, both in the current and for future generations. According to the New Zealand Land Resource Inventory 'Land Use Capability' map, the south-western corner of the subject site is listed as having a Land Use Capability (LUC) 2, which is considered a highly productive land. Clause 3.5(7) of the NPS states that this National Policy Statement must be given effect to as if references to highly productive land were references to land that, at the commencement date is zoned general rural or rural production and is identified as LUC 1, 2 or 3. Although the subject site is identified as LUC 2, it is zoned as Coastal Living. In addition, no development is proposed on the specific part of the site identified as LUC 2. Hence, the site is excluded from assessment under the NPS.

The activity is consistent with these documents for the reasons set out in the response to the s92 request for further information, titled '*2230123-RMASUB – s92 Response, dated 08-11-2022*'. In particular, the activity is consistent with the Objectives and Policies of the Coastal Living Zone under the **Operative District Plan** because the subdivision has been previously approved as being an appropriate low density residential development located in a coastal area. The boundary adjustment proposed does little to impact the low density approach provided by the Coastal Living Zone. The site is also not within the Coastal Environment as mapped in Northland Regional Council's Regional Policy Statement map. The margins of the river that adjoins the site is not considered to be impacted by the proposed boundary adjustment.

As assessed in the previous report, standards are adhered to. Although the proposed boundary adjustment makes one of the allotments slightly smaller, it is considered that this would not limit or reduce the promotion of adequate services or the maintenance of amenity values or the quality of the environment.

In terms of the **Proposed District Plan**, one of the objectives is also to provide for low density residential activities, which, as assessed above, the proposal maintains the low density approach that was previously approved via subdivision. With the site having a general absence of urban infrastructure, it is considered that activities such as small-scale farming can still occur on-site. No incompatible activities are proposed. In addition, the subdivision is existing, and the proposal only seeks to slightly change the boundaries with less than minor to no effects to primary production.

The proposal is not of an urban form or character. Primary production activities are not proposed, neither are any commercial or industrial activities. In addition, the site is surrounded by Coastal Living and Rural Lifestyle zoning, ensuring that the proposed change will not increase reverse sensitivity to surrounding allotments. The proposal will in the whole remain consistent with the underlying scale and character of the rural lifestyle environment. Building envelopes already apply to the site as well as additional controls which will manage built development appropriately. It is not proposed to change these factors. All services can be provided on site. There are no known historic heritage or cultural values resulting from the proposal.

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans. Both plans allow for low density residential development, which the

proposal caters for. Hence, it is considered that the outcomes sought are the same under the operative and the proposed plan frameworks. As such, no weighting is necessary.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant to the application.
7. In terms of s106 of the RMA, the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
8. Based on the assessment above the activity will be consistent with Part 2 of the Act.

The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
9. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Gio Alagao, Consents Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



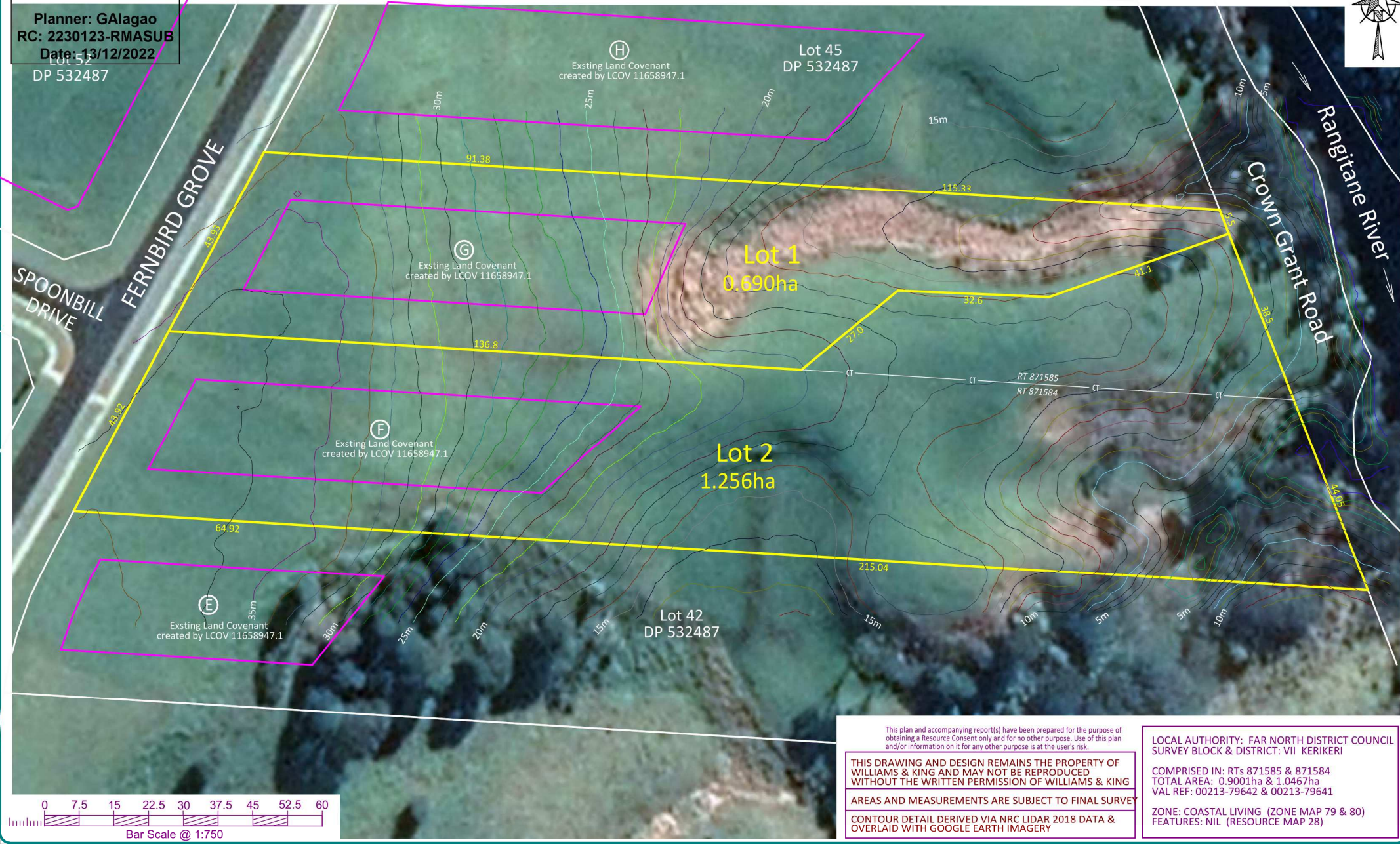
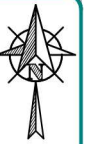
Name: Pat Killalea

Date: 13th December 2022

Title: Principal Planner

APPROVED PLAN

Planner: GALAGAO
 RC: 2230123-RMASUB
 Date: 13/12/2022
 DP 532487



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.

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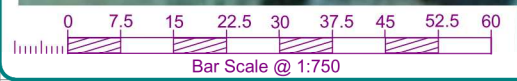
AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

CONTOUR DETAIL DERIVED VIA NRC LIDAR 2018 DATA & OVERLAID WITH GOOGLE EARTH IMAGERY

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL
 SURVEY BLOCK & DISTRICT: VII KERIKERI

COMPRISED IN: RTs 871585 & 871584
 TOTAL AREA: 0.9001ha & 1.0467ha
 VAL REF: 00213-79642 & 00213-79641

ZONE: COASTAL LIVING (ZONE MAP 79 & 80)
 FEATURES: NIL (RESOURCE MAP 28)



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**PROPOSED SUBDIVISION OF
 LOTS 43 & 44 DP 532487**
 No 16 & 18 FERNBIRD GROVE, KERIKERI

Name	Date	ORIGINAL
Survey	BK 2021.10.26	SCALE
Design		1:750
Drawn		SHEET SIZE
Rev		A3

23577_FARRAND_SCHEME_BDY ADJUST.lcd

Surveyors Ref. No:
23577
 Series
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