



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 ap	pplied for	
(more than one circle can be t	icked):	
Land Use	Discharge	
Fast Track Land Use*	Change of Consent Notice (s.221(3))	
Subdivision	Extension of time (s.125)	
Consent under National E (e.g. Assessing and Managi		
Other (please specify) _		
* The fast track is for simple land	d use consents and is restricted to consents with a controlled activity status.	
3. Would you like to opt out	t of the Fast Track Process?	
Yes No		
4. Consultation		
Have you consulted with lwi/h	Hapū? Yes No	
If yes, which groups have you consulted with?		
Who else have you consulted with?		
For any questions or information Council tehonosupport@fndc.go	regarding iwi/hapū consultation, please contact Te Hono at Far North District	

Name/s:	Sunvalley 2020 Limited			
Email:	Currency Lord Limited			
Phone number:	Home			
	nome			
Postal address: (or alternative method of service under section 352 of the act)				
of the dety	Postcode			
Address for Correspo	ondence			
ame and address for se	ervice and correspondence (if using an Agent write their o	details here)		
Name/s:	Reyburn and Byrant			
Email:				
Phone number:	Home			
Postal address: (or alternative method of service under section 352				
of the act)	Postcode	0140		
	be sent by email in the first instance. Please advise us if you munication.	woula prejer an		
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health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-				
Name/s: Site Address/ Location: Legal Description: Certificate of title: Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old) Site visit requirements: Is there a locked gate or security system restricting access by Council staff? Yes No Is there a dog on the property? Yes No Please provide details of any other entry restrictions that Council staff should be aware of, e.g., health and safety, caretaker's details. This is important to avoid a wasted trip and having to rearrange a second 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. To undertake a five lot subdivision of three existing titles at 636 Taita Road, Waimamakau, Kaikohe 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 thchange(s), with reasons for requesting them.	8. Application Site D	etails		
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10. Would you like to request Public Notification?	quote relevant existing	g Resource Consents and Consen		· · · · · · · · · · · · · · · · · · ·
10. Would you like to request Public Notification?				
	10. Would you like to	request Public Notification?		

11. Other Consent required/being applied for under different legislation
(more than one circle can be ticked):
Building Consent Enter BC ref # here (if known)
Regional Council Consent (ref # if known) Ref # here (if known)
National Environmental Standard consent Consent here (if known)
Other (please specify) Specify 'other' here
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 Changing the use of a piece of land Disturbing, removing or sampling soil 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)	Steve Simpkin		
Email:			
Phone number:		Home	
Postal address: (or alternative method of service under section 352 of the act)			
·		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)	Steve Simpkin			
Signature:				Date24-Sep-2025
(signature of bill payer			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) James Connon			
Signature:	Date 24-Sep-2025		
• • • • • •			
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 ol	d)		
Oetails of your consultation with lwi and hapū			
Copies of any listed encumbrances, easements and/or consent notices	s 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 with an application. Please also refer to the RC Checklist available on the This contains more helpful hints as to what information needs to be shown	Council's website.		

Subdivision consent application

SUNVALLEY 2020 LTD

Taita Road, Waimamaku, Kaikohe



Subdivision consent application

SUNVALLEY 2020 LTD

Taita Road, Waimamaku, Kaikohe

Report prepared for: Sunvalley 2020 LTD

Author James Saxby Connon, Planner

Reviewed by: Joseph Henehan, Associate

Consent Authority: Far North District Council

Report reference: 18553

Report Status: Final

Date: September 2025

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Reyburn and Bryant P.O. Box 191 Whangarei 0140

Telephone: (09) 438 3563

FORM 9

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To Far North District Council

Memorial Avenue

Private Bag 752

Kaikohe 0440

- Sunvalley 2020 Limited applies for subdivision consent to undertake a five lot subdivision from three existing titles.
- 2. The applicant is the owner of the site.
- 3. The location of the proposed activity is 636 Taita Road, Waimamaku, Kaikohe.
- 4. There are no other activities to which this application relates.
- 5. Section 220(1)(e)(iii) approval is required as outlined in section 1.5 of this report.
- 6. We attach an assessment of effects on the environment that:
- 7. includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
 - (a) addresses the matters specified in clause 7 of Schedule 4 of the Resource

 Management Act 1991; and
 - (b) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
- We attach an assessment of the proposed activity against the matters set out in Part
 of the Resource Management Act 1991.
- 9. We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including information required by clause 2(2) of Schedule 4 of that Act.
- 10. No other information is required to be included in the district or regional plan(s) or regulations.

James Saxby Connon

24 September 2025

Date

Address for service: Reyburn and Bryant 1999 Ltd

PO Box 191, Whangarei

Telephone: (09) 438 3563

Email: James@reyburnandbryant.co.nz

Contact person: James Saxby Connon

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APPENDICES

nrcgis.maps.arcgis.com)

- 1. Subdivision scheme plan
- 2. Record of title
- 3. Relevant planning maps
- 4. Retrolens historic images

ABBREVIATIONS

AEE Assessment of Environmental Effects

FNDC Far North District Council

HAIL Hazardous Activities and Industries List

LUC Land Use Register

NES-SC National Environmental Standard – Soil Contamination

NPS-HPL National Policy Statement for Highly Productive Land

NRC Northland Regional Council

FNDP Operative Far North District Plan

PFNDP Proposed Far North District Plan

RMA Resource Management Act, 1991

RPROZ Rural Production Zone (PFNDP)

RPZ Rural Production Zone (FNDP)

1. INTRODUCTION

1.1 Report basis

This report has been prepared for Sunvalley 2020 LTD in support of an application to undertake a five lot subdivision of three existing titles at 636 Taita Road.

The application has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act, 1991 (RMA). Section 88 of the RMA requires that resource consent applications be accompanied by an Assessment of Environmental Effects (AEE) in accordance with the Fourth Schedule.

The report also includes an analysis of the relevant provisions of the district, regional and national planning documents that are pertinent to the assessment and decision required under s104 of the RMA.

1.2 Proposal summary

The proposal seeks to undertake a five lot subdivision of three existing titles at Taita Road, Waimamaku, Kaikohe.

The scheme plan showing the proposed subdivision layout is attached in **Appendix 1.**

Resource consent is required for a **discretionary activity** from the FNDC under Rule 13.11.

1.3 Property details

Applicant and landowner	Sunvalley 2020 LTD
Site location	636 Taita Road, Waimamaku, Kaikohe
Record of title and Legal	Section 8 Blk X Waoku SD - RT 1103522
description	Lot 1 Deposited Plan 32133 - NA868/86
	Lot 2 Deposited Plan 32133 - NA868/87
Total site area	136.9753ha
Operative District Plan	Far North District Plan (FNDP)

Operative District Plan Zoning	Rural Production Zone
Other Operative District Plan Notations	-
Proposed District Plan	Proposed Far North District Plan (PFNDP)
Proposed District Plan Zoning	Rural Production Zone
Other Proposed District Plan Notations	-

Table 1: Property details.

1.4 Relevant title memorials

The site is held within three records of title, being RT 1103522, NA868/86 and NA868/87. The titles are subject to the following memorials:

- 7281918.6 Easement Instrument Appurtenant right of way to convey electricity, telecommunications, and computer media created by Easement Instrument marked 'A'. on DP 382514.
- D564567.2 Easement Instrument Right of way over areas marked 'A' on DP 186482. This existing easement is shown as Area 'A' on the scheme plan attached in Appendix 1.
- D644573.1 Easement Instrument Easement of right to convey water over area marked 'A' on DP 208283.

The titles and the associated memorials are attached in Appendix 2.

1.5 Resource consent sought

The proposal is a **discretionary activity** under Rule 13.7.2.1(i) of the FNDP as all proposed lots have areas in excess of 4ha in size.

1.6 PFNDP rule assessment

The FNDC notified on the PFNDP on 27 July 2022. In accordance with s86B(3) of the RMA, the rules that would ordinarily apply to this proposal do not currently have legal effect. Notwithstanding this, for completeness purposes, it is assessed that

the proposed subdivision would have a non-complying activity status under Rule SUB-R3 of the PFNDP if it were to have legal effect.

1.7 Other approvals required

Amalgamation conditions are proposed as follows:

- Pursuant to Section 220(1)(e)(iii) of the RMA 1991, it is proposed that Lot 6 and
 Lot 2 DP 583932 (RT 1103522) be held in the same record of title.
- Pursuant to section 220(1)(e)(ii) of the RMA 1991, that Lot 1 hereon and Lot 2
 hereon be held in the same record of title.

The condition wording is shown on the scheme plan attached in Appendix 1.

1.8 Processing requests

Prior to the issue of any decision for this consent, please forward the draft conditions for our review and comment.

2. THE SITE AND SURROUNDING ENVIRONMENT

2.1 Site description

Location

The subject site consists of three titles, totalling approximately 139.9753ha (see <u>Figure 1</u> below). The site is split across Taita Road, which divides the titles across both sides of the road.

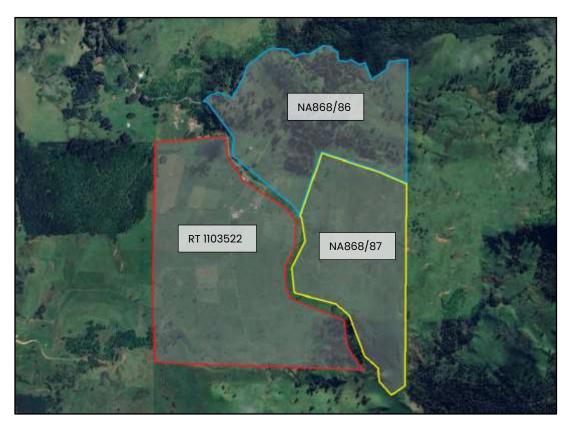


Figure 1: Location map (Source: Google Earth).

Built development and access

RT 1103522 contains one residential dwelling and several accessory buildings.

NA868/86 and NA868/87 are both largely vacant aside from a small farm shed and a set of cattle yards.

Access

The site currently gains access to Taita Road via two vehicle crossings and an existing farm track. The residential crossings have been constructed using a

metal formation, matching the existing surface of Taita Road. The crossing associated with the northern side of Taita Road is a dirt farm track and is not used for residential purposes. These crossings are shown in <u>Figure 2</u> below:



Figure 2: Existing crossing locations (Source: Google Earth)

Topography

The site generally rises to the northeast with a topography that is relatively steep and undulating; however, the area associated with the existing residential dwelling and accompanying buildings is largely flat.

Ground cover and vegetation

RT 1103522 and NA868/87 are mostly in pasture with little other vegetation seen across the sites, excluding some pockets of native vegetation to the south of the sites.

NA868/86 is a mix of pastureland and trees, which are spread across the site.

Oraora Stream is located along the northern side of NA868/86.

Two distinct protected natural areas (PNA) extend into the north-eastern side of NA868/86 and the western side of RT 1103522. These areas have been identified under the Far North Atlas / Kohinga Mahere Natural Environment map and are shown in Figure 3 below.

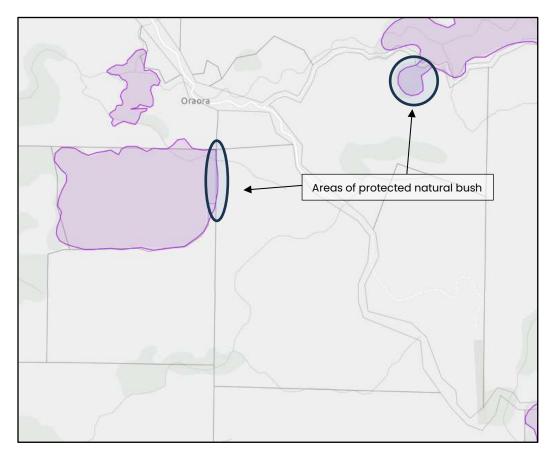


Figure 3: Protected natural areas (DOC, 2016) (Source: Far North Atlas / Kohinga Mahere)

Archaeological sites

According to ArchSite there are no mapped archaeological sites identified on the property.

<u>Planning notations</u>

The site is zoned 'Rural Production' (RPZ) under the FNDP. See <u>Figure 4</u> below:

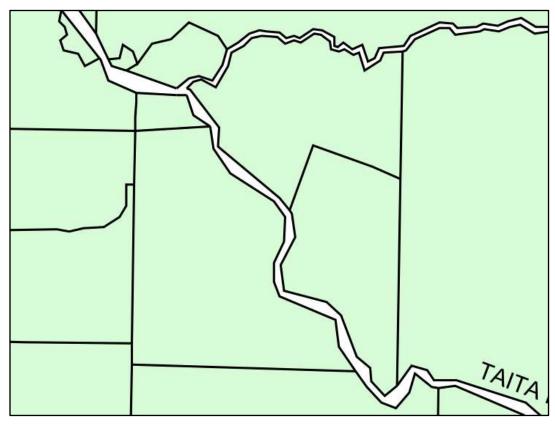


Figure 4: District Plan zonings (Source: FNDC GIS)

The relevant planning maps are attached in Appendix 3.

Land Use Capability (LUC) Soil Classification

The Our Environment maps identify the soils at the site as being classes 4 and 6 under the LUC mapping system. Refer to Figure 5 below:

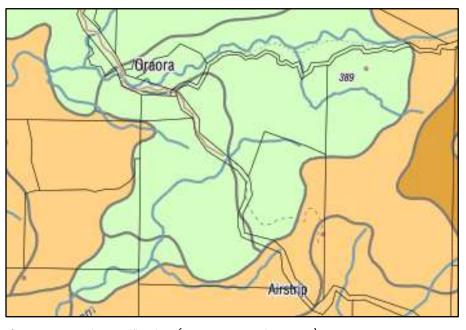


Figure 5: LUC Soil Classification. (Source: Our Environment).

As such, the land is not considered highly productive under the NPS-HPL.

2.2 Surrounding environment

The site is located approximately 2.5km northeast of State Highway 12 and 3km northeast from Waimamaku village.

The Taita Bridle Track is located north of the site, which leads to the Waima forest.

The immediate vicinity is predominantly in large landholdings used for rural production activities; however, there are several small rural-residential Lots located just north of the sites along Taita Road.

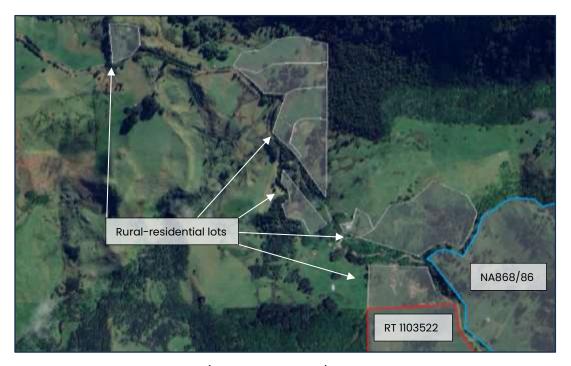


Figure 6: Surrounding environment. (Source: Google Maps).

3. THE PROPOSAL

3.1 General

The proposal seeks to undertake a five lot subdivision of three existing titles at 636 Taita Road, Waimamaku, Kaikohe.

The proposed lot configuration is shown on the scheme plan attached in Appendix 2 and is summarised as follows:

Lot number	Area
Lots 1 and 2 (amalgamated)	7.0383ha
Lot 3	5.5675ha
Lot 4	24.7984ha
Lot 5	25.7283ha nett (26.5811ha gross)
Lot 6 and Lot 2 DP 583932 (amalgamated)	72.9899ha

Table 2: Proposed allotment details.

The areas shown above are approximate and are subject to final survey.

3.2 Site suitability

The title comprising proposed Lots 1 and 2 (amalgamated), contains an existing fully serviced dwelling and a complying driveway.

There is no residential unit on proposed Lot 3-5; however, each of these Lots is large (in excess of 5ha) with multiple building sites available. Accordingly, on-site servicing arrangements will be provided at the building consent stage. Proposed Lots 3-5 have the ability to form direct access to Taita Road, where formal access will be provided at the building consent stage.

Lot 6 and Lot 2 DP 583932 (amalgamated) contains an existing access and driveway in the existing surface of Taita Road. The site is large (40ha) and contains multiple potential building sites located outside of any identified flood hazards. On-site servicing will be provided at the building consent stage.

3.3 Three waters servicing arrangements

Proposed Lots 1 and 2 (amalgamated) will retain the existing wastewater, stormwater and water supply arrangements associated with the existing dwelling. Lots 3-6 will be provided with appropriate on-site servicing at the building consent stage.

3.4 Electricity and telecommunications

Existing electrical and telecommunications connections will be retained for proposed Lots 1 and 2 (amalgamated).

Proposed Lots 3-6 will not be provided with an electricity connection as part of this subdivision. It is proposed that a no-power encumbrance be registered on proposed Lot 3-6.

Telecommunications can be provided to proposed Lot 3-6 wirelessly, as seen below in <u>Figure 7</u>.



Figure 7: Access to wireless telecommunications (Source: Broadband map NZ)

3.5 Access arrangements

Access to proposed Lots 1 and 2 (amalgamated) and 6 will be via the existing vehicle crossings that have already been constructed to these sites. Proposed Lots 3-5 are to be provided with complying access arrangements at the building consent stage for any future residential units constructed on these sites.

In terms of sight distances, the assumed vehicle operating speed along Taita Road is 50km/h due to the metal formation and the topography of the road. Considering this, the sight distances are compliant with the requirements set out in the FNDC ES 2009.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Existing environment

Section 104(1)(a) of the RMA requires a consideration of any actual and potential effects on the environment of allowing an activity. The existing environment has been described in Section 2 of this report.

4.2 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard any adverse effects of an activity on the environment if a plan (the FNDP in this instance) permits an activity with that effect. This is commonly referred to as the permitted baseline. While there is no permitted baseline for a subdivision, the applicant is permitted to construct one dwelling per 12ha of land. As such, the applicant could theoretically construct up to eight residential dwellings across the sites, including the existing dwellings.

4.3 Landscape, rural character and amenity values

In this case, Lots 4, 5, and 6 will remain large (each over 20ha in size). The sites are consistent with the surrounding rural environment, and any future development will not impose upon or detract from the rural character of the area. Subdivision of this scale is anticipated and provided for under the FNDP; therefore, any associated effects are considered to be less than minor and in keeping with the current provisions of the FNDP.

Lots 1 and 2 will be amalgamated together, creating a title that is 7.0383ha. This site contains an existing residential building; as such, no additional residential potential is permitted on the site. It is for this reason that any associated effects regarding rural character are considered to be less than minor.

Lot 3 sits adjacent to multiple small residential development lots; it is comparable to the sites seen in the surrounding environment, as shown in <u>Figure 6</u>. Any

potential development associated with the site will not detract from the existing environment beyond what is seen within the surrounding environment.

It is for these reasons that any landscape, amenity or character effects are considered to be less than minor.

4.4 Servicing

No changes are proposed to the existing three waters management arrangements associated with the existing residential unit located on proposed Lots 1 and 2 (amalgamated). These arrangements are located within the boundaries of the new site, ensuring that any adverse effects will be negligible relative to the existing environment.

As there are no Council reticulated networks in this locality. On-site three waters management arrangements will be established for Lots 3-6 when the sites are developed. There are no known constraints to the establishment and effective operation of these arrangements.

4.5 Access

Proposed Lots 1, 4 and 6 will continue to utilise the existing vehicle crossing to Taita Road. The vehicle crossings achieve complying sight distances in both directions. No upgrade is required for Lots 1 and 6, and Lot 4 will be upgraded at the building consent stage.

A complying vehicle crossing can be installed at future dwellings on proposed Lots 3 and 5 at the building consent stage. There are numerous building locations on these sites, and the location of the crossing will depend on the ultimate location of the house site.

4.6 Effects on significant indigenous flora and fauna

The proposed subdivision will not result in the removal of any indigenous vegetation. Any identified PNAs will remain entirely contained within two large lots

proposed by this application (Lot 4 and Lot 6); no native vegetation removal will be necessary to facilitate the completion of this subdivision.

4.7 Flooding

As shown on the Northland Regional Council Flood Maps in <u>Figure 8</u> below, there are several small areas identified as being at risk of flooding across the sites. However, these areas are relatively isolated and situated away from existing residential development. The identified flood hazards are located on large sites that contain multiple suitable areas for residential development outside of the flood-susceptible areas.



Figure 8: NRC River Flooding hazards zones 10-100 year events Maps (Source: nrcgis.maps.arcgis.com)

4.8 Fire hazards

The proposed subdivision will not have any adverse effects relating to fire hazards, as any future dwellings on the proposed lots will be well setback from existing vegetation. Any future dwellings on the proposed lots will be provided with accessible water supplies at the building consent stage in accordance with SNZ PAS 4509:2008 (or as otherwise agreed to by Fire and Emergency NZ).

4.9 Adverse effects conclusion

Overall, relative to the assessment criteria listed under Section 13.10 the adverse effects associated with this proposal will be less than minor.

5. PLANNING ASSESSMENT

5.1 Operative Far North District Plan objectives and policies assessment

Context

Pursuant to section 104(b)(vi) of the RMA, the following considers the proposed subdivision in the context of the relevant provisions from the FNDP. The objectives and policies that are relevant to this application are contained in Chapter 13 'Subdivision' and Chapter 8 'Rural Environment'.

There are 3 predominant themes that run throughout the objectives and policies

– managing effects on rural productive values; ensuring that subdivision and
development are compatible with the amenity, character, landscape and natural
values of the environment in which the proposal is located; and ensuring that
subdivision and development are appropriately serviced.

The relevant objectives and policies have been grouped under these headings, and an assessment is provided below.

<u>Assessment</u>

Rural Production values

The proposal seeks to retain the life-supporting capacity of the soils associated with the sites¹ by retaining the majority of the land (45.5479ha, 24.7984ha and 25.7283ha) within the three larger balance sites, ensuring that this land can continue to be utilised for productive purposes. While 'smaller', Lots 1 – 3 (ranging from 2.0308ha to 5.5675ha) are large enough to be utilised for a range of small-scale rural activities. Furthermore, it is proposed that Lots 1 and 2 be amalgamated, resulting in the site being 7.0383ha.

¹ Objectives 8.3.2 and 13.3.2, and policies 8.4.2 and 8.6.4.7.

The smaller lots are clustered on the northern portion of the site. This will avoid the fragmentation of the land and place smaller lots adjacent to other small lot development. As outlined in Section 4.4 of this report, it is concluded that any adverse effects associated with the subdivision on productive rural values will be less than minor.

In accordance with the above, the proposal will facilitate the sustainable management of the productive values associated with the site² and will ensure that the subdivision is consistent with the purpose of the Rural Production Zone³.

Amenity and landscape values

The subject site is not subject to any overlays under the FNDP or Regional Policy Statement for Northland (which are reflected in the FNPDP) that relate to elevated landscape values or the coastal environment⁴.

Notwithstanding the above, Lots 1 – 5 have been designed to align with the 4ha minimum lot size provided for as a discretionary activity under the FNDP. Clustering these lots in the northern portion of the site ensures that a rural outlook is retained⁵.

The clusters of comparably sized rural residential development within the surrounding area ensures that the proposal is consistent with the existing amenity and character values of the surrounding environment⁶.

Servicing

The on-site three waters servicing arrangements for Lots 3 to 6 will be established in accordance with the relevant FNDC and NRC requirements at the building consent stage for a future residential unit on the site. While Lots 1 and 2 (amalgamated) will retain the existing servicing arrangements associated with the site.

³ Objective 13.3.2

² Objective 8.6.3.1

⁴ Objective 8.3.5 and Policy 8.4.4

⁵ Policy 13.4.1

⁶ Objective 8.6.3.3 and policy 8.6.4.4

Concerning access, a complying vehicle crossing for proposed Lots 3 and 4 will be established from Taita Road at the building consent stage.

Lots 1, 4 and 6 will continue to utilise the existing access arrangements associated with sites. The vehicle crossing achieves complying sight distances in both directions. Considering the remote location of the application, no upgrades are proposed to Lot 4 as part of the application.

The proposed subdivision will therefore be appropriately serviced in accordance with the relevant objectives and policies from the FNDP⁷.

Conclusion

In accordance with the above assessment, the proposed subdivision is consistent with the relevant objectives and policies from the FNDP.

5.2 Proposed Far North District Plan objectives and policies assessment

Context

The PFNDP was publicly notified on 27 July 2022. The submission period closed on 21 October 2022, and the further submission period closed on 4 September 2023. Given the stage of the process and pursuant to s86B(1)(c) of the RMA, the rules of the Plan Changes do not have legal effect (except for those specifically identified). Nevertheless, an assessment to determine the activity status that this proposal would have under the PFNDP provisions has been made in Section 1.6 of this report. While the majority of the rules do not have legal effect, the objectives and policies are a relevant consideration under s104(1)(b)(vi) of the RMA.

Weighting

With regards to weighting, the plan changes are in the early stages, with submissions and further submissions having closed (on 21 October 2022 and 4 September 2023 respectively). Little weight should therefore be applied to the

.

 $^{^{\}rm 7}$ Objective 13.3.5, 13.3.8, and policies 13.4.5 and 13.4.8

PFNDP when considering the application. Nonetheless, an assessment of the objectives and policies is provided below for completeness.

<u>Assessment</u>

The objectives and policies of the PFNDP are zone specific. There are also other provisions that relate to district wide matters. This assessment considers the relevant objectives and policies in the Rural Production Zone (RPROZ) and SUB chapters.

It has been determined that the proposal would be a non-complying activity if the provisions of this zone were to have legal effect.

The subdivision is not contrary to the objectives and policies of the RPROZ and SUB chapters as it prevents the loss of rural productive land by retaining the majority of the land within the balance sites (Lots 4, 5 and 6). The rural productive capacity of the site will be maintained as the large lots (over 20ha) will continue to be used for rural productive purposes⁸.

No removal of vegetation is required to give effect to the proposed subdivision within the PNA areas. As such, any effects on indigenous flora and fauna will be negligible overall and the proposal will be consistent with those provisions seeking preservation of identified areas of natural significance.⁹

Notwithstanding the assessment provided above, the PFNDP is still in a relatively early stage of the plan change process, with a large number of submissions having been received on a wide range of topics (including the RPROZ provisions). Given the wide-ranging nature of some of these submissions, little weight should be applied to the provisions of the PDP at this stage.

5.3 NES - Soil Contamination

All applications that involve subdivision, an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the National

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⁸ RPROZ-O1, RPROZ-O2, RPROZ-P2 and RPROZ-P5

⁹ SUB-O2, SUB-P8

Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NES). The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed subdivision.

A review of aerial photographs and the Northland Regional Council 'selected land-use sites' database was undertaken, which confirmed that no HAIL activities are present or have ever taken place on the subject 'piece of land' – refer to the map attached in **Appendix 4**. Accordingly, the NES does not apply to this application.

5.4 NPS - Highly Productive Land

As per Section 2.1 of this report, the subject land only contains Class 4 and 6 soils. These are not considered highly productive land under the NPS-HPL. Therefore, the NPS-HPL is not applicable to this application.

5.5 Part 2 assessment

An assessment of Part 2 matters is not required unless there are issues of invalidity, incomplete coverage, or uncertainty in the planning provisions.¹⁰ In this case, there is no invalidity, incomplete coverage, or uncertainty amongst the various documents. In that regard, no assessment of the application is required under Part 2.

-

 $^{^{10}}$ R J Davidson Family Trust the Marlborough District Council [2018] NZCA 316

6. NOTIFICATION

Pursuant to sections 95A and 95B of the RMA, Section 5 of this report concludes that any adverse effects associated with the proposal will be less than minor. Furthermore, there are no special circumstances associated with the application, the applicant has not requested notification, and there is no rule or national environmental standard that requires notification of this application. Consequently, public notification is not necessary.

The assessment of environmental effects in Section 4 of this report confirms that no parties are considered to be adversely affected by the proposal. Consequently, limited notification is not necessary.

Having considered the above, the proposal can proceed on a **non-notified** basis.

7. CONCLUSION

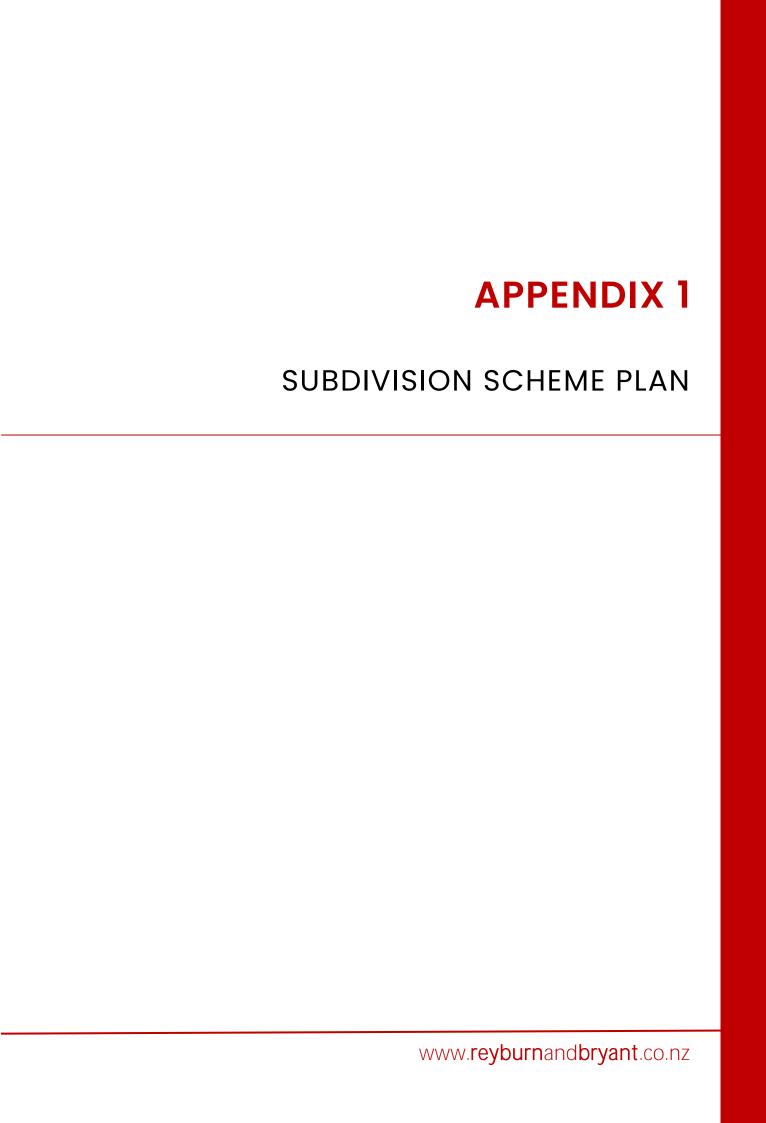
The proposal seeks to undertake a five lot subdivision across three existing titles at 636 Taita Road, Waimamaku, Kaikohe. This will result in an increase in the number of titles across the site by two.

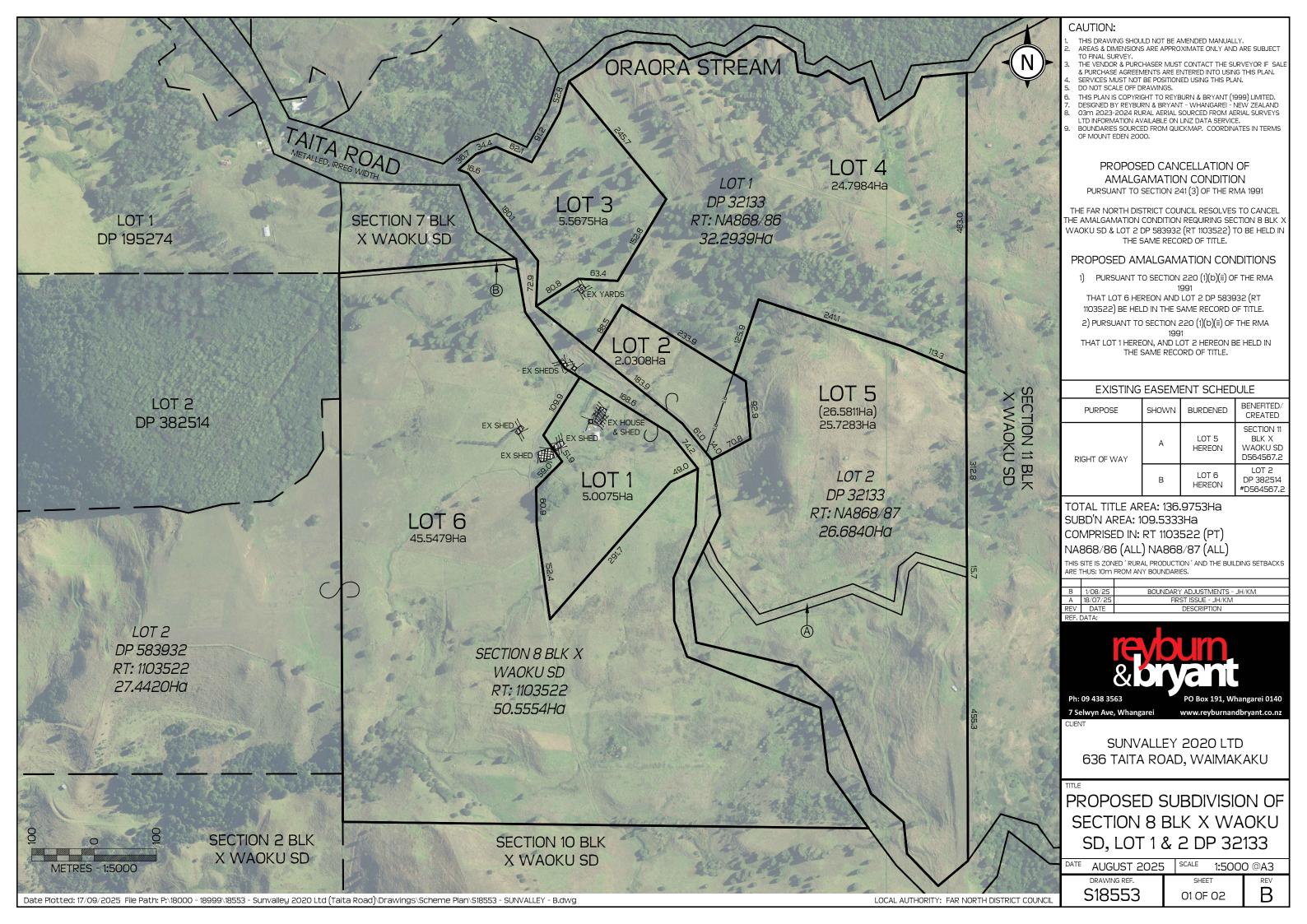
The proposal requires consent as a discretionary activity under the provisions of the FNDP.

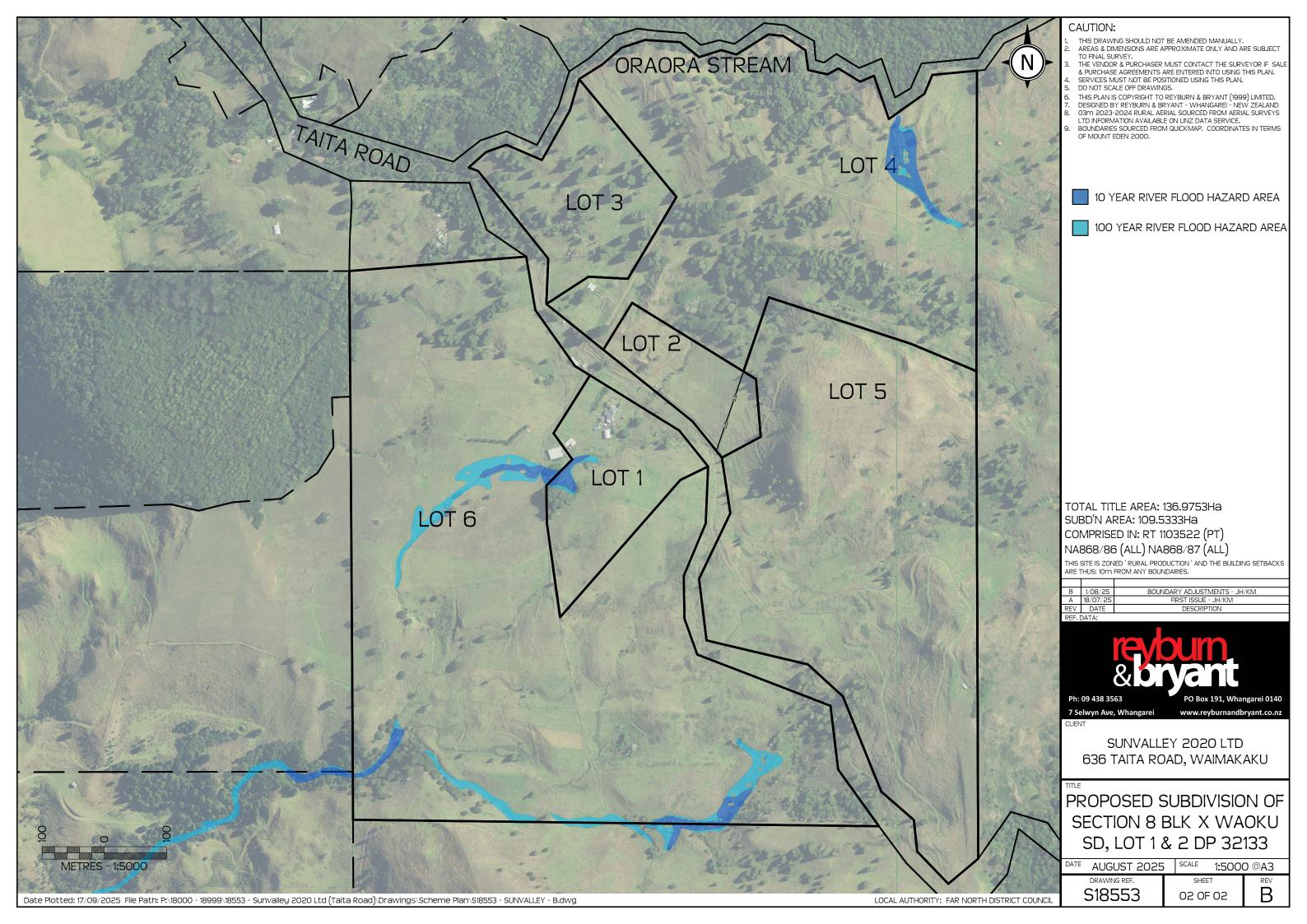
The environmental effects of the proposal have been assessed in Section 4 of this report. Overall, the effects have been determined to be less than minor. Consequently, appropriate regard has been given to s104(1)(a) of the RMA.

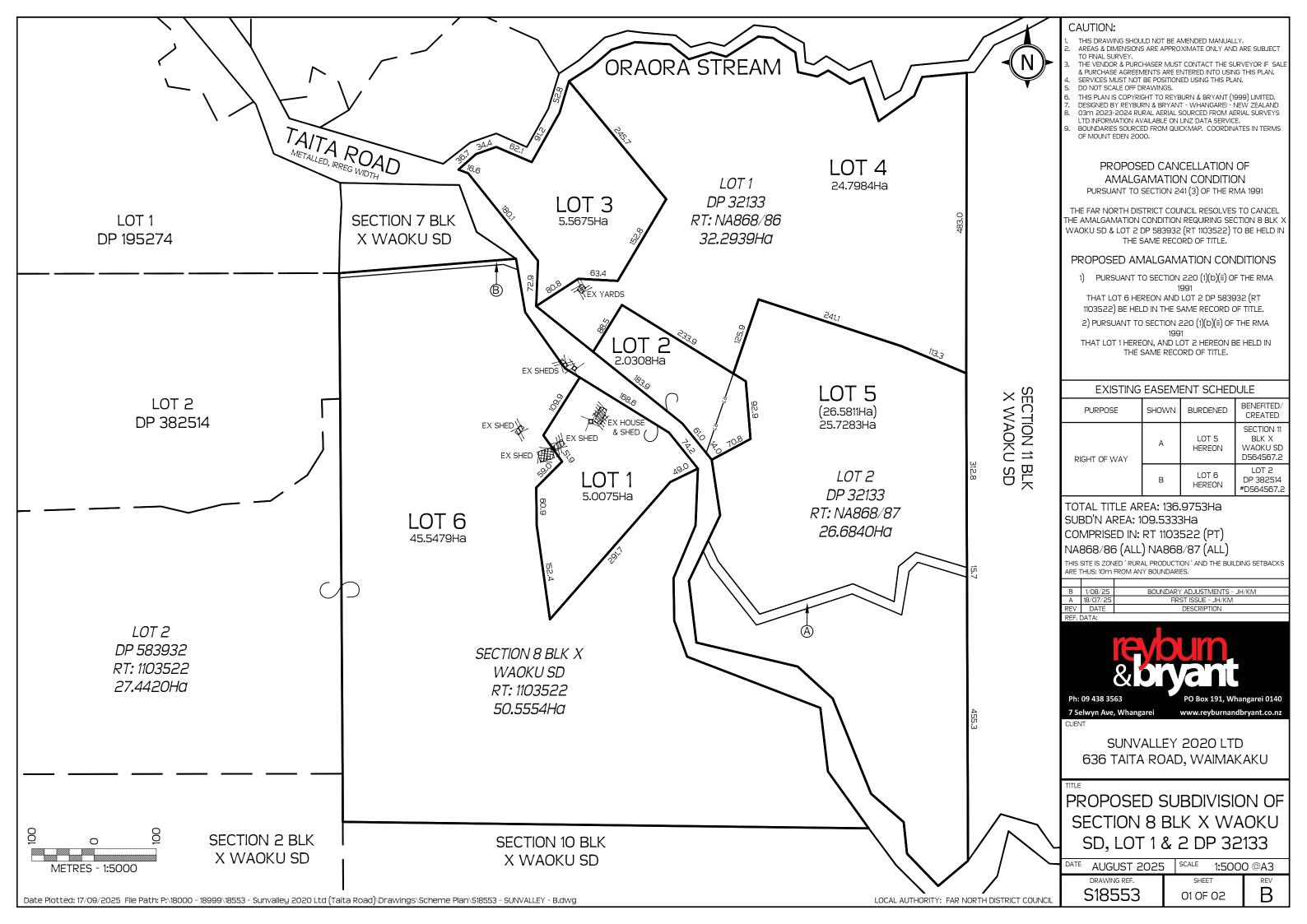
Sections 5.1 and 5.2 confirm that the proposal is consistent with the policy direction of both the Operative and Proposed FNDP. Sections 5.3 and 5.4 confirm that the NES-SC and the NPS-HPL are not a relevant consideration for the proposed subdivision. Accordingly, appropriate regard has been given to s104(1)(b)(i) and s104(1)(b)(vi) of the RMA.

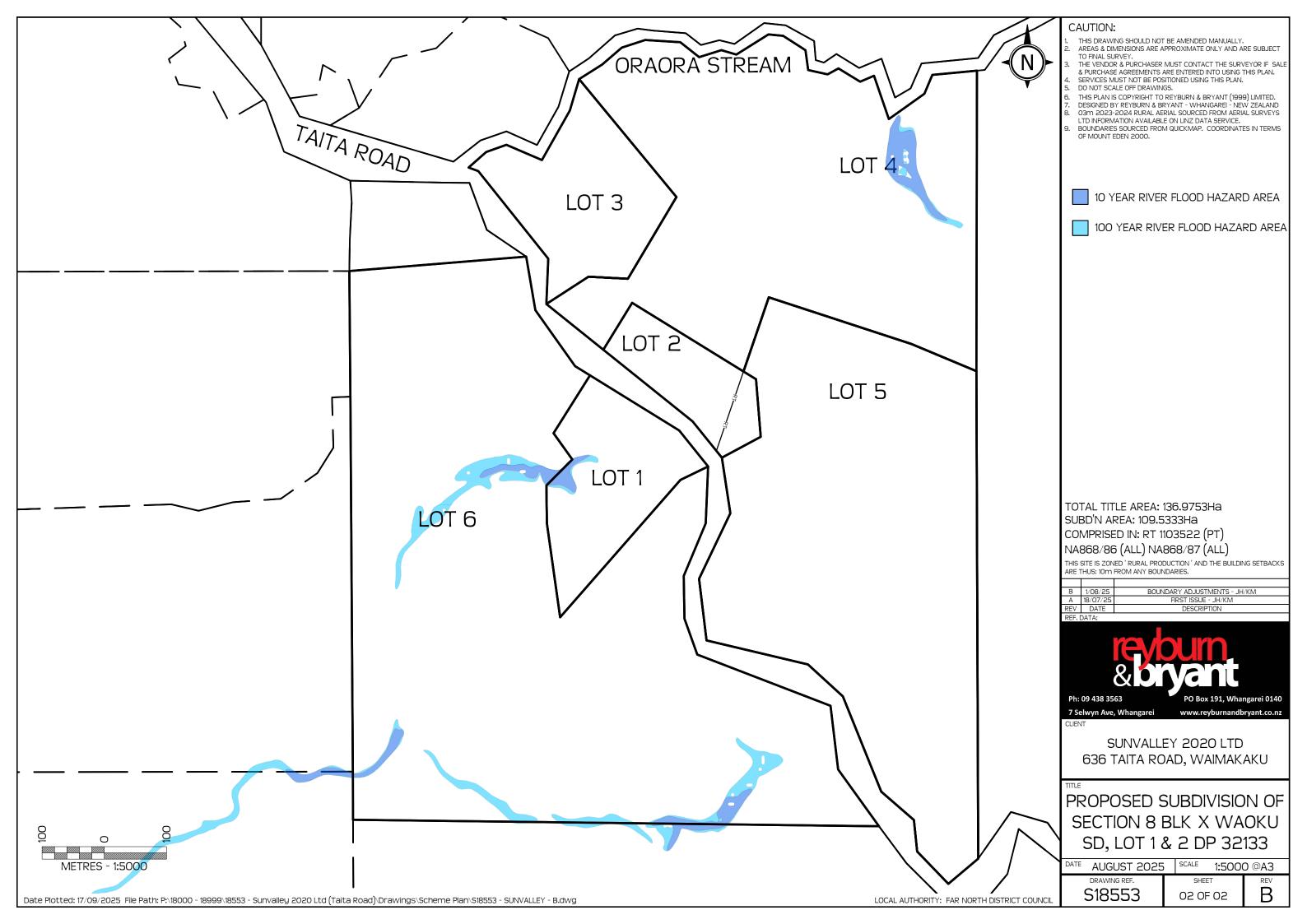
Having regard to the relevant matters in s104(1) and s104B of the RMA, the proposal can be approved subject to appropriate conditions of consent















RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD





Identifier 1103522

Land Registration District North Auckland

Date Issued 31 January 2023

Prior References

329750

Estate Fee Simple

Area 77.9973 hectares more or less

Legal Description Lot 2 Deposited Plan 583932 and Section 8

Block X Waoku Survey District

Registered Owners

Sunvalley 2020 Limited

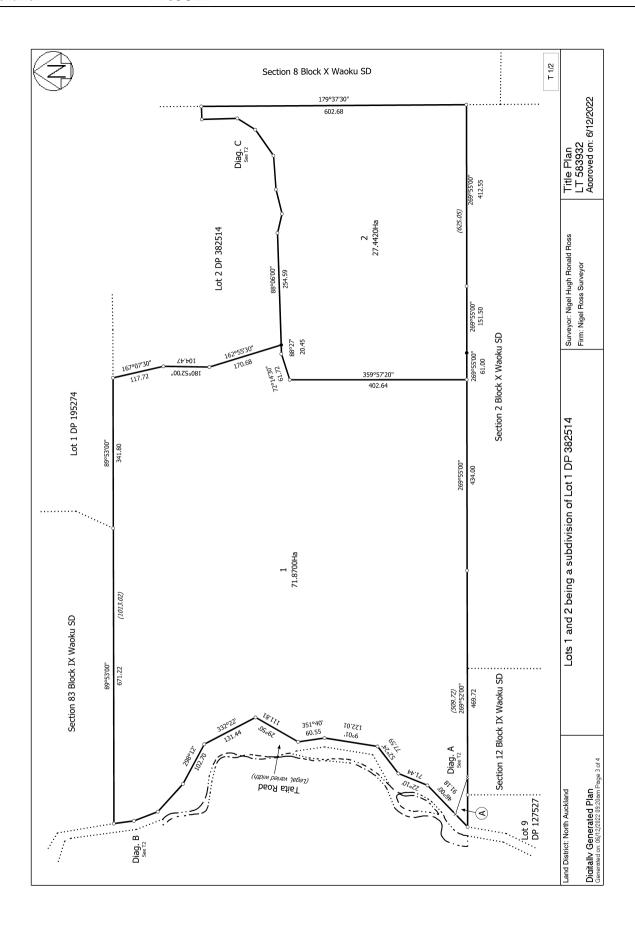
Interests

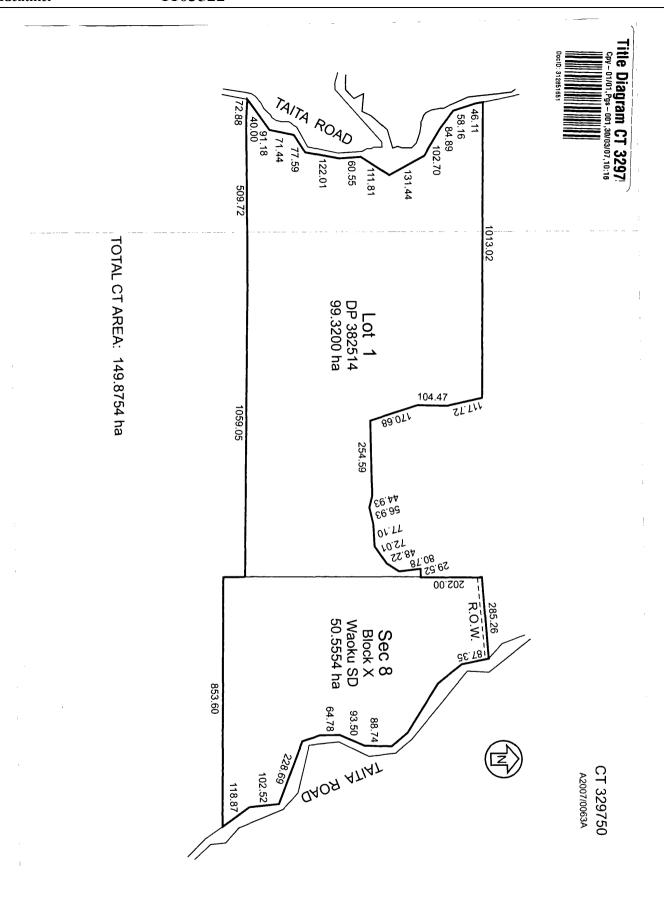
Appurtenant to Section 8 Block X Waoku Survey District is a right to convey water created by Transfer D644573.1 - 1.10.2001 at 9.00 am

Subject to a right of way, right to convey electricity, telecommunications and computer media over part Section 8 Block X Waoku Survey District marked A on DP 382514 created by Easement Instrument 7281918.6 - 19.3.2007 at 9:00 am

The easements created by Easement Instrument 7281918.6 are subject to Section 243 (a) Resource Management Act 1991 Subject to Section 241(2) Resource Management Act 1991 (affects DP 583932)

13308510.2 Mortgage to ASB Bank Limited - 3.6.2025 at 1:42 pm





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

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

Sections 90A and 90F, Land Transfer Act 1952

Land	registration	district
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NORTH AUCKLAND

Grantor



El 7281918.6 Easement | Cpy - 01/01, Pgs - 006, 19/03/07, 08:56

Surname(s) must be underlined or in CAPITALS.

ORA ORA FARMS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

Ivan Walter HARNETT as to a 1/2 share and Barbara Jean WARD as to a 1/2 share

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

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

Dated this	280	day of	Elmany	2007	
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Attestation

Signed in my presence by the Grantor

RONALD DOMINIC MCCLOY

les Whele Diector

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed) Witness name

Occupation

Signature [common seal] of Grantor

Address

Ivan Walter HARNETT

rbara Jean WARD

Signed in my-presence by the Grantee

Signature of Witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name

Occupation

PETER GILMOUR MACAULEY

SOLICITOR

Address

KAIKOHE

Certified correct for the purposes of the Land Transfer Act 1952

[Solicitor for] the Grantee

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

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

Signature [common seal] of Grantee

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

Annexure Schedule 1



Easement instrument

Dated 28th Kelmany 2007

Page 2 of

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference) 382514	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Easements of right of way, right to convey electricity and right to convey telecommunications and computer media	Marked "A" on DP382514	329750 Just (###)	329751 (North Auckland Registry)

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

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.				
and/or				
The implied rights and powers are [varied] [negatived] [added to] or [substituted] by:				
[Memorandum number , registered under section 155A of the Land Transfer Act 1952].				
[the provisions set out in Annexure Schedule 2].				

Covenant provisions

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

The provisions applying to the specified covenants are those set out in:				
{Memorandum number	, registered under section 155A of the Land Transfer Act 1952]			
[Annexure Schedule 2].				
	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			

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

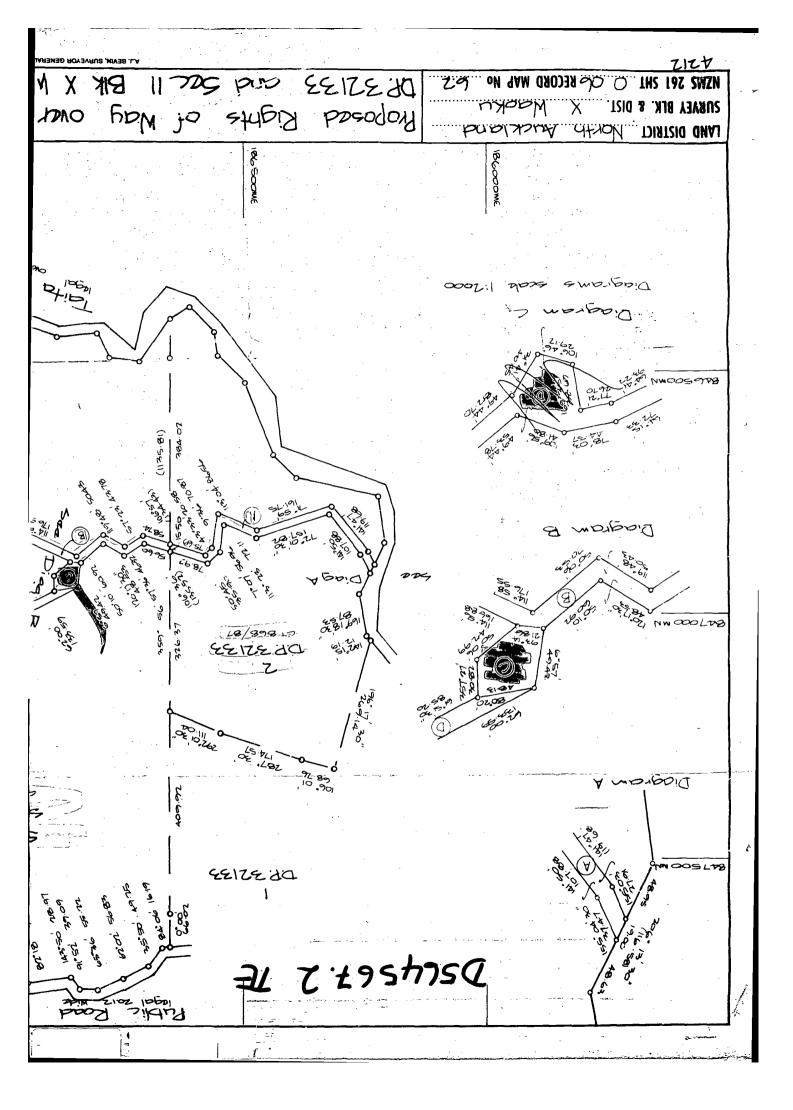
REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/5032



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REF: 7025 - AUCKLAND DISTRICT LAW SOCIETY



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

pf. Dj

Ren Lorsani

asker.

D644573.1 TE



CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

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

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

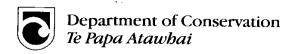
Auckland	as No	D.016180	Hokitika	as No	105147
Blenheim	as No	186002	Invercargill	as No	242542.1
Christchurch `	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

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

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

DATED at Auckland this 11th day of September 2001

Gandun.



File ref: NHF101

26 September 2001

Land Information New Zealand PO Box 92016 AUCKLAND

Attention: John Poaching

Dear Sir

REGISTRATION OF DOCUMENTS

Please find enclosed for registration the following documents to be added to abstract number D631274:

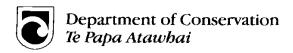
- 1. Executed Transfer of fee simple;
- 2. Executed Transfer of easement of right to convey water;
- 3. Certificates of title 82C/899, 868/86 & 87, 485/296 and 1174/68.
- 4. Letter to the District Land Registrar.
- 5. Pegg Ayton Gordon cheque for creation of water easement.

Should you have any queries please do not hestrate to contact the writer. Thank you for your assistance in this regard.

Yours faithfully

Christine WOODS

for NORTHLAND CONSERVATOR



File ref: NHF101

26 September 2001

The District Land Registrar AUCKLAND

Dear Sir

No fee is tendered for registration, recording or depositing of the undermentioned instruments lodged herewith, as the fee would otherwise be payable direct or indirectly from the Consolidated Revenue Account:

Transfers

Yours faithfully

Christine WOODS

for NORTHLAND CONSERVATOR



RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD





Identifier NA868/86

Land Registration District North Auckland

Date Issued 30 April 1945

Prior References NA857/185

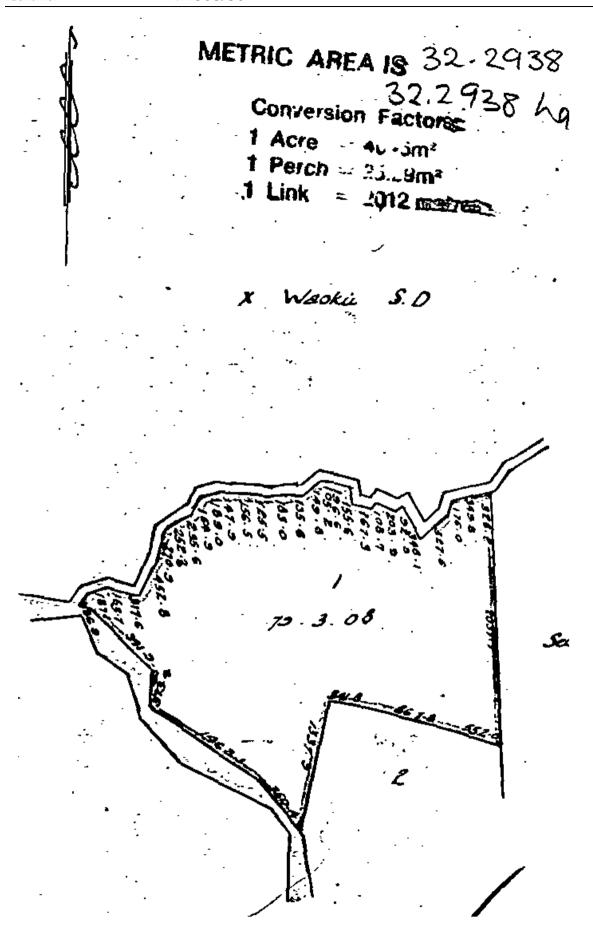
Estate Fee Simple

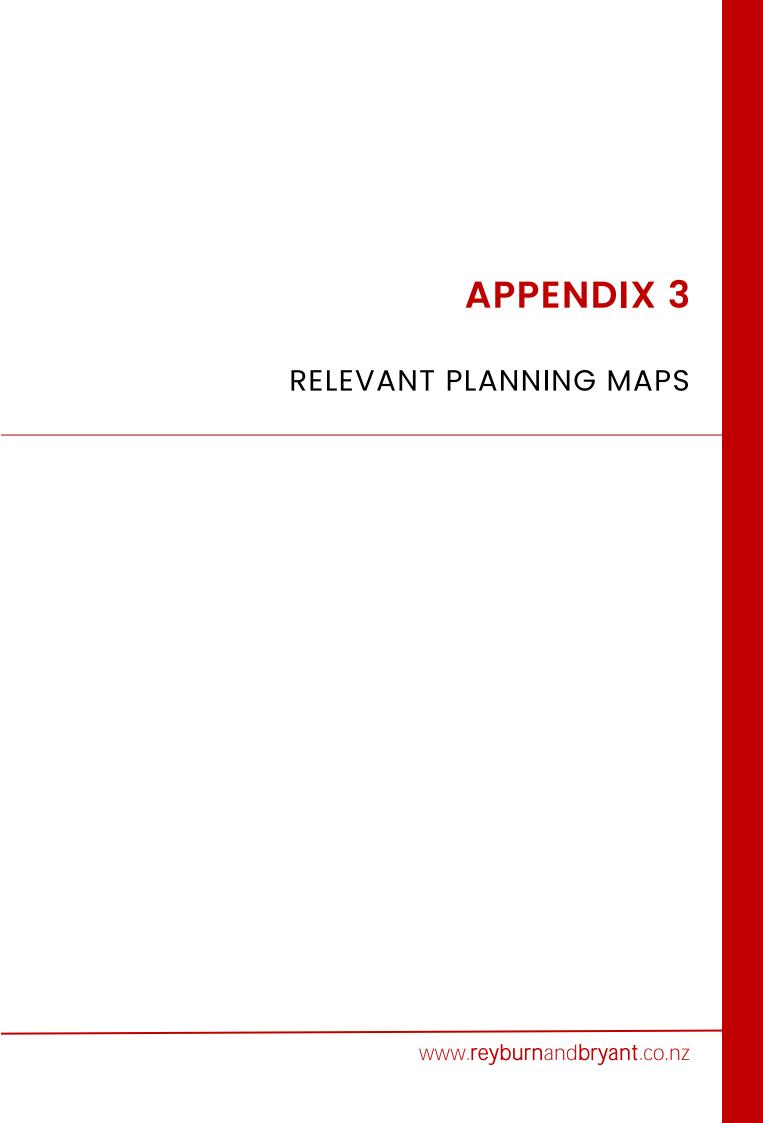
Area 32.2939 hectares more or less
Legal Description Lot 1 Deposited Plan 32133

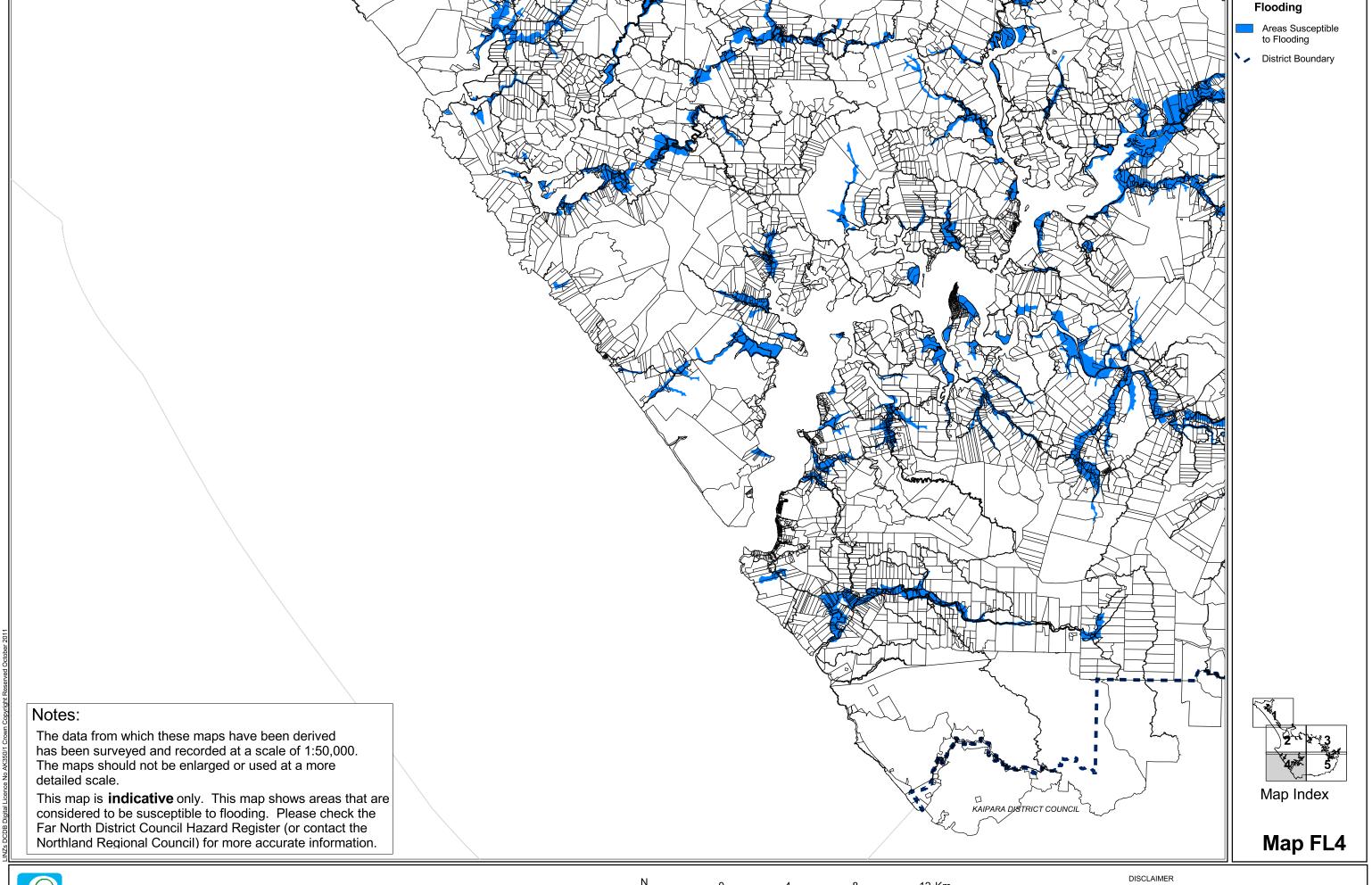
Registered OwnersSunvalley 2020 Limited

Interests

Appurtenant hereto is a right to convey water created by Transfer D644573.1 - 1.10.2001 at 9.00 am 13308510.2 Mortgage to ASB Bank Limited - 3.6.2025 at 1:42 pm

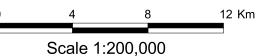




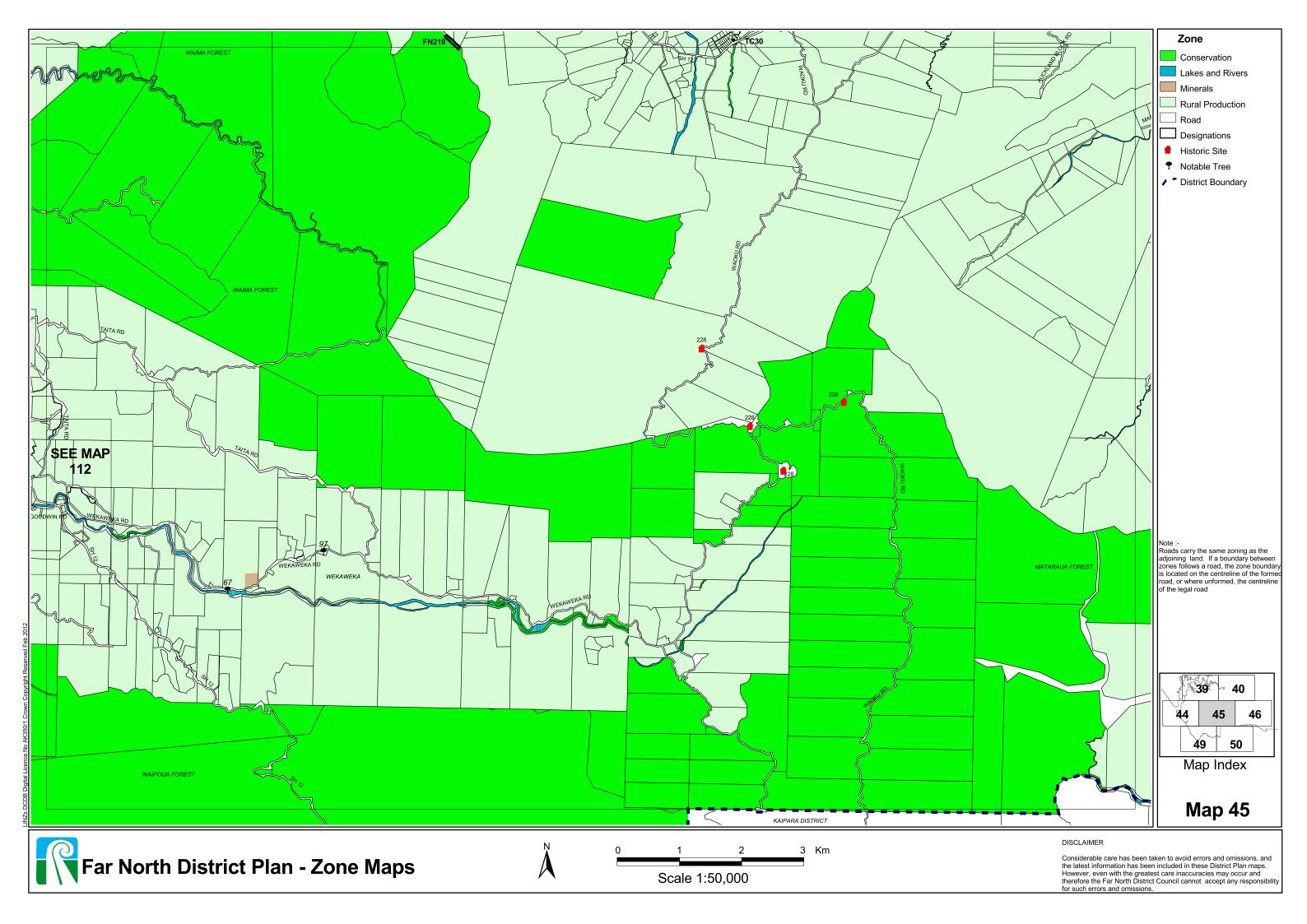








Considerable care has been taken to avoid errors and omissions, and the latest information has been included in these District Plan maps. However, even with the greatest care inaccuracies may occur and therefore the Far and orthogolar council cannot accept any responsibility. for such errors and omissions.





RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD

Search Copy



Identifier NA868/87

Land Registration District North Auckland

Date Issued 30 April 1945

Prior References NA857/185

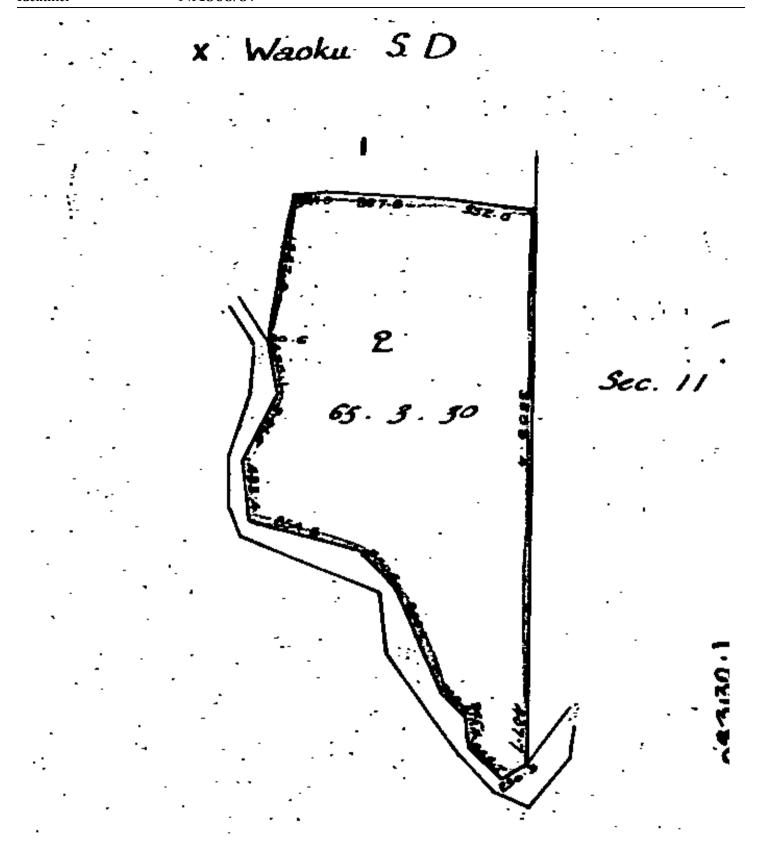
Estate Fee Simple

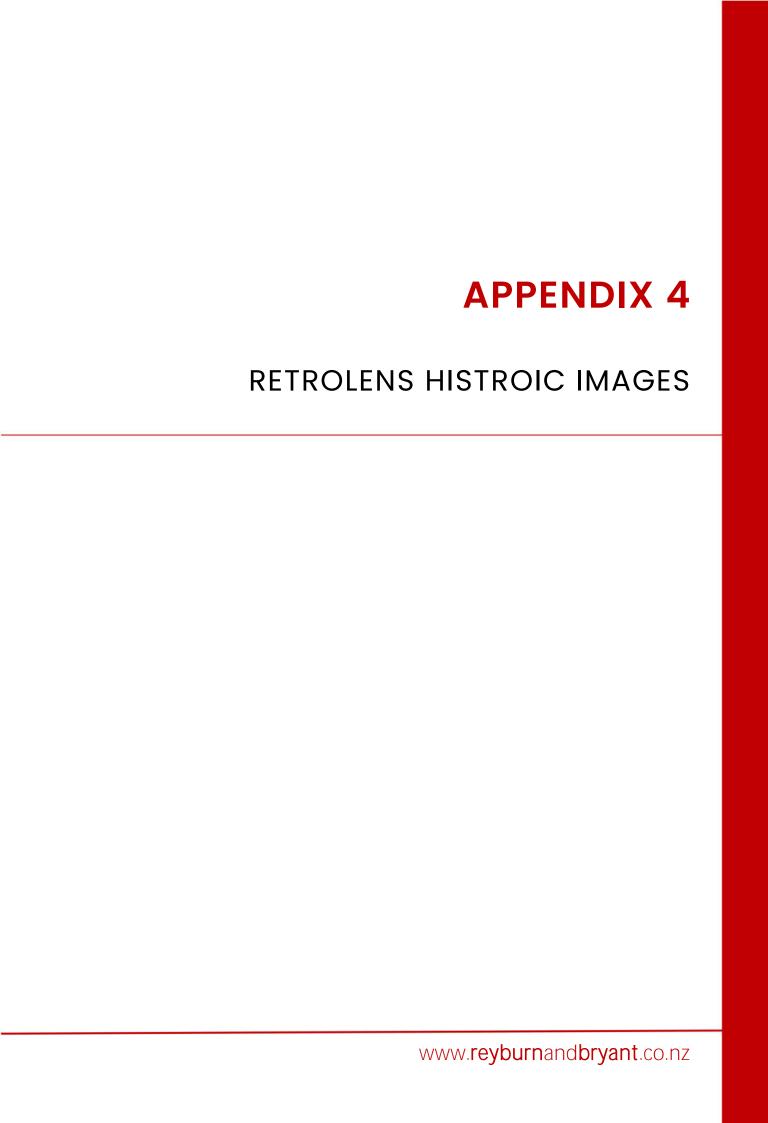
Area 26.6840 hectares more or less
Legal Description Lot 2 Deposited Plan 32133

Registered OwnersSunvalley 2020 Limited

Interests

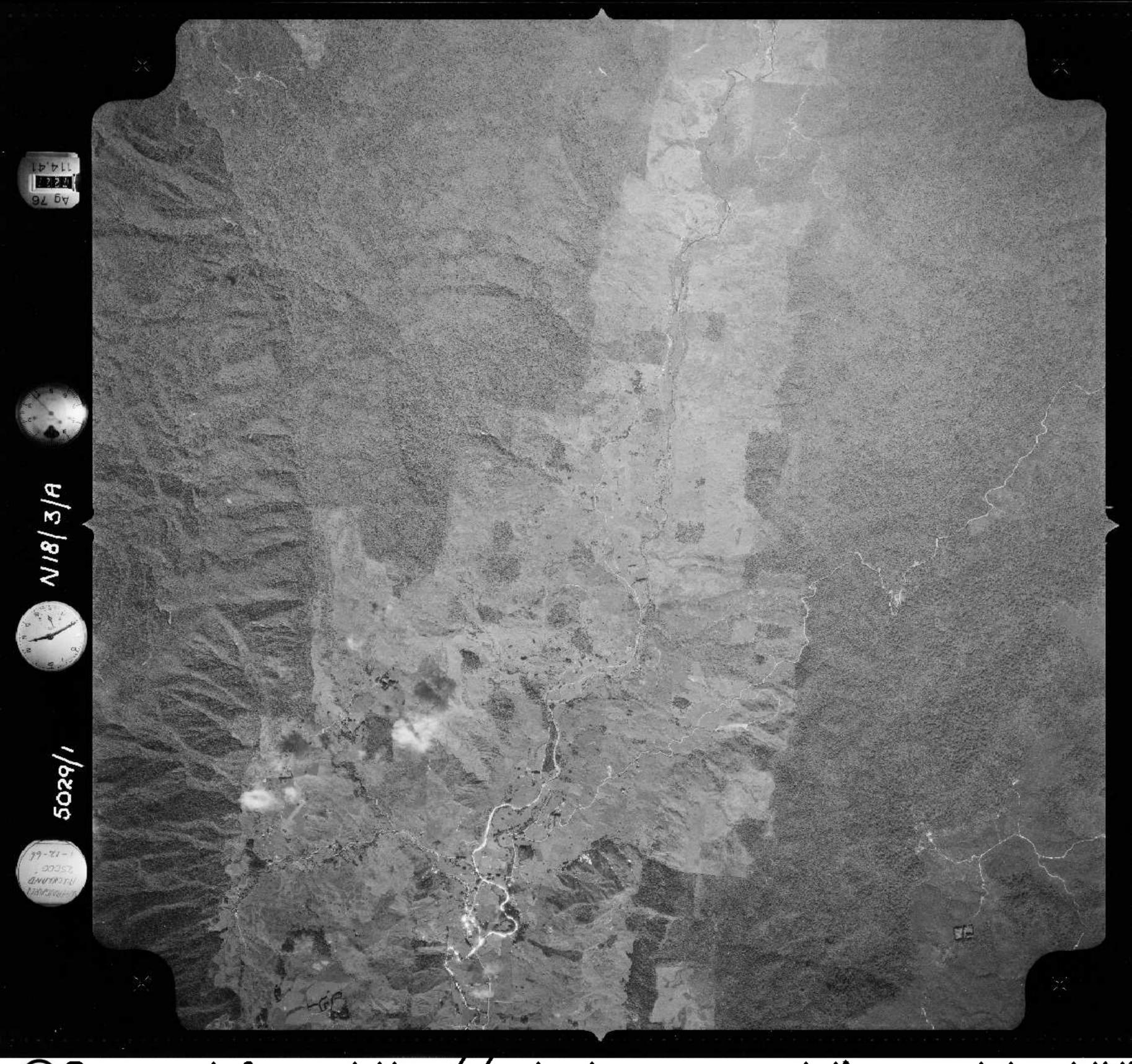
Subject to a right of way over part marked A on Plan 186482 created by Transfer D564567.2 - 8.12.2000 at 1.28 pm Appurtenant hereto is a right to convey water created by Transfer D644573.1 - 1.10.2001 at 9.00 am 13308510.2 Mortgage to ASB Bank Limited - 3.6.2025 at 1:42 pm



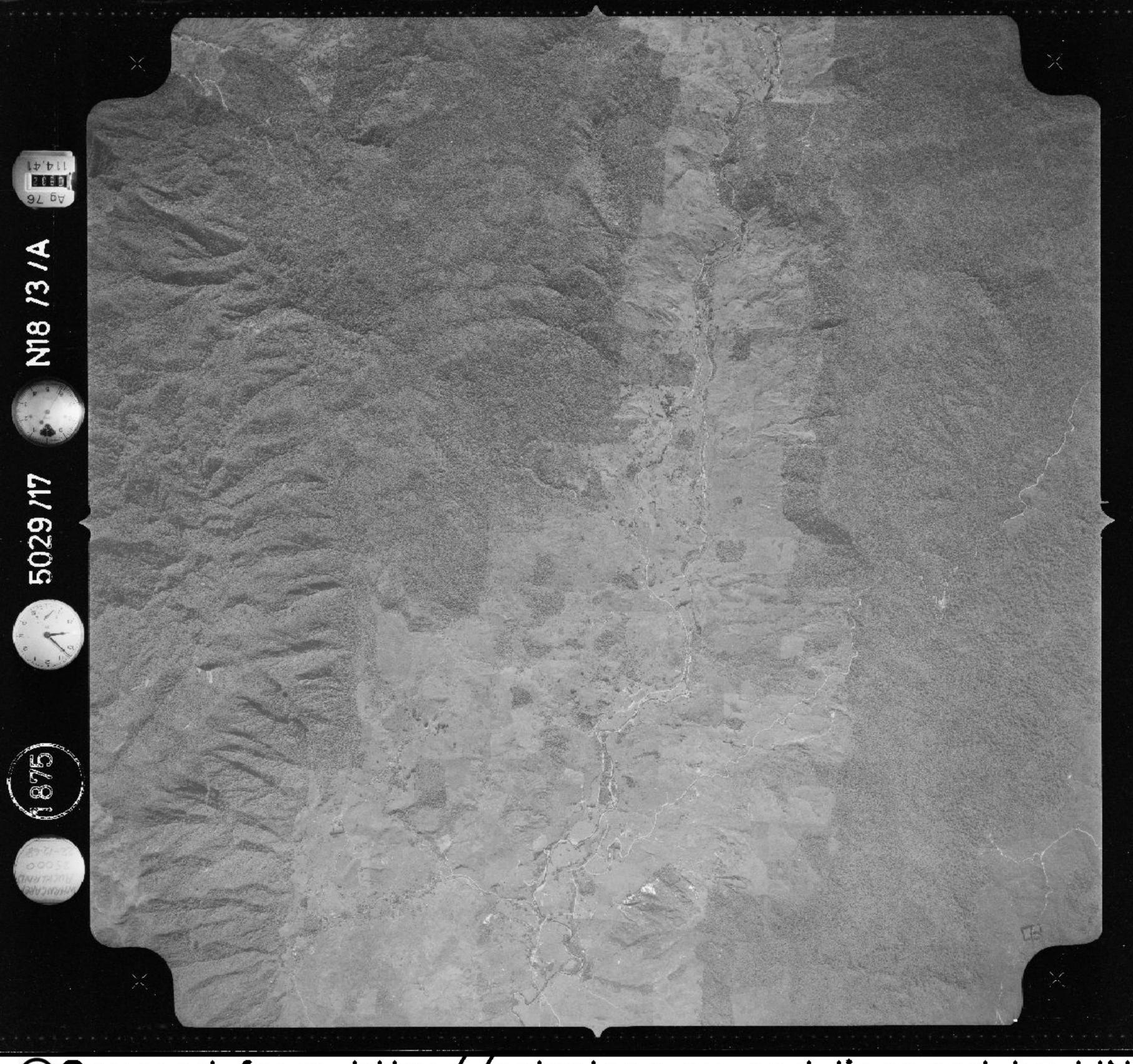




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