



# **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 <u>Form 9</u>). Prior to, and during, completion of this application form, please refer to <u>Resource Consent Guidance Notes</u> and <u>Schedule of Fees and Charges</u> — both available on the Council's web page.

Have you met with a counc  Yes No	il Resource Covnsent representative to discuss this application prior to lodgement?
2. Type of consent be	eing applied for
(more than one circle can be ticl	ked):
Cand Use	<b>○</b> Discharge
Fast Track Land Use*	Change of Consent Notice (s.221(3))
<b>⊘</b> Subdivision	Extension of time (s.125)
	al Environmental Standard
(e.g. Assessing and Man	aging Contaminants in Soil)
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Other (please specify	
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Other (please specify *The fast track is for simple *3. Would you like to @Yes \in No  4. Consultation	opt out of the fast track process?

	Anthony Gerald Schicker and Marilyn Joy Schicker			
Email:				
Phone number:	Work	Hom		
Postal address: (or alternative method of service under section	248 Hay Road, RD 2 Hik	curangi		
352 of the act)		Postcode 8287 0182		
		nforcement orders, infringement notices and/or convictions		
under the Resource Mana		es 🕜 No		
lf yes, please provide detai	ils.			
6 Address for source				
6. Address for corres				
Name and address for service o	and correspondence (if using a	an Agent write their details here)		
Name/s:	Kathryn Schicker			
Email:				
Phone number:	Work	Home		
Postal address:	27 Appleton Lane			
USLAI AUUI ESS.				
	· ND / Hamilton			
(or alternative method of service under section 352	RD / Hamilton			
or alternative method of service under section 352	RD / Hamilton	Postcode 3287		
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ocation and/or property s	treet address of the proposed activit	y:	
Name/s:	Manuka Heights Ltd and AG an	nd MJ Schicker	*
Site address/ ocation:			
		Postc	ode 0181
egal description:		Val Number:	
ertificate of title:			
	ttach a copy of your Certificate ents and encumbrances (search		ation, along with relevant consent han 6 months old)
ite visit requiremen			
there a locked gate of	or security system restricting ac	cess by Council staff	? Yes V No
	roperty? Yes VNo		
lease provide details			ould be aware of, e.g. health and safety e-arrange a second visit.
working beef farm ther	efore phone applicant and arrange	site visit	
Potential for logging tru	icks to be using Hay Road require	to notify forestry opera-	tor and drive with care phone applicant
	-one to be doing thay thought equilibrium	to notify forestry opera-	tor and anyo mar oaro priono applicant
	ng trucks are operating.	to notify forestry opera	
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The site and proposal may be the NES please answer the f	oe subject to the above following:	e NES. In order to determine whether regard needs to be had to
s the piece of land currently Hazardous Industries and A	y being used or has it h ctivities List (HAIL)?	nistorically ever been used for an activity or industry on the Yes No Don't know
ls the proposed activity an a proposal, as the NESCS may	activity covered by the apply as a result?	NES? Please tick if any of the following apply to your  Yes No Don't know
Subdividing land		<ul> <li>Disturbing, removing or sampling soil</li> </ul>
Changing the use of a	piece of land	Removing or replacing a fuel storage system
13. Assessment of en	vironmental effe	ects:
a requirement of Schedule 4 AEE is not provided. The infor	of the Resource Manage mation in an AEE must	mpanied by an Assessment of Environmental Effects (AEE). This is ement Act 1991 and an application can be rejected if an adequate be specified in sufficient detail to satisfy the purpose for which it is ion such as written approvals from adjoining property owners, or
Your AEE is attached to thi	s application 🕑 Yes	
14. Draft conditions:		
Do you wish to see the draf	t conditions prior to th	e release of the resource consent decision? <b>Yes No</b>
If yes, please be advised the enable consideration for th		e suspended for 5 working days as per s107G of the RMA to
15. Billing Details:		
This identifies the person o associated with processing	r entity that will be res this resource consent	sponsible for paying any invoices or receiving any refunds . Please also refer to Council's Fees and Charges Schedule.
Name/s: (please write in full)	AG and MJ Schicker	
Email:		
Phone number:		
<b>Postal address:</b> (or alternative method of service under section 352		
of the act)	-	Postcode
Fees Information An instalment fee for proces	sing this application is p	payable at the time of lodgement and must accompany your that if the instalment fee is insufficient to cover the actual and

### 15. Billing details continued...

### **Declaration concerning Payment of Fees**

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

Name: (please write in full)	Anthony Gerard and Marilyn Joy Schicker		
Signature:		Date 07-Dec-2025	
(signature of bill payer)	MANDATORY		

### 16. Important Information:

### Note to applicant

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

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

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

### **Fast-track application**

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

### **Privacy Information:**

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

The information I have sup	oplied with this application is true and com	plete to the best of my knowledge.
Name (please write in full)	Kathryn Patricia Schicker	
Signature		Date 07-Dec-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 old)
O Details of your consultation with lwi and hapū
Ocopies of any listed encumbrances, easements and/or consent notices relevant to the application
Applicant / Agent / Property Owner / Bill Payer details provided
Cocation 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
O Location and Site plans (land use) AND/OR
Location and Scheme Plan (subdivision)
C Elevations / Floor plans
O 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 people to be shown on plans.

# Application for Resource Consent (Subdivision) Section 88 Resource Management Act 1991 Assessment of Environmental Effects

7 December 2025

Planning Manager Far North District Council Private Bag 752 Kaikohe 0440

AG and MJ Schicker (the applicant), seek resource consent to undertake a boundary adjustment subdivision between two adjoining Records of Title within the Rural Production Zone of the Far North District. Application details are provided in the Application Form in **Appendix 1**.

.....

<u>Landowners:</u> Anthony Gerald Schicker and Marilyn Joy Schicker, and

Manuka Heights Limited

Address: 248 Hay Road, Towai RD 2 Hikurangi 0182, and

137 Hay Road, Towai RD 2 Hikurangi 0182

Legal: Allotment 112 and Allotment 117 Parish of Ruapekapeka [NA350/236]

Pt Allot 113 Parish of Ruapekapeka [NA1131/33]

Zoning: Rural Production Zone

<u>Proposal:</u> To undertake a boundary adjustment subdivision between two existing Records of Title via

amalgamation.

Activity category: Controlled Activity

Attachments: Appendix 1: Application Form

Appendix 2: LIM Report Appendix 3: Records of Title

Appendix 4: Subdivision Scheme Plan Appendix 5: Legalisation Plan – Draft

Appendix 6: Consultation

<u>Service address:</u> Kathryn Schicker

MAShikes

27 Appleton Lane

RD 7

Hamilton 3287

Attn: Kathryn Schicker

**RMA Planner** 

Mobile (027) 473 2014 email: <a href="mailto:pkschicker001@gmail.com">pkschicker001@gmail.com</a>

### Signature:

### 1.0 Background

The boundary adjustment is required because in 2022 when the FNDC's Proposed District Plan was notified, the applicant (AG & MJ Schicker) noticed what appeared to be an error on the FNDC maps. The maps showed a change (i.e. a shift) in the alignment of Council's road boundaries which placed the paper road over their existing dwelling and garage. It also resulted in their implement shed, water tank, part of the dwelling and driveway being situated within the adjoining neighbouring property (i.e. Pt Allot 113 Parish of Ruapekapeka (NA1131/33)).

Over the following three years, the applicant has undertaken extensive investigations, including detailed survey work to identify the legal boundaries. As part of their research, the applicant has found the historical survey plan, dated 1890, which shows that the property has been farmed within its known physical boundaries (existing fencelines) for more than 100 years. This includes the physical land area shown as Lot 2 on the Scheme Plan in **Appendix 4** which has always been effectively managed and farmed by the applicant and previous landowners since as early as 1890. Furthermore, when the applicants purchased the property in 2001, the LIM report indicated no known boundary issues, and all existing buildings had approved building consents and were identified as permitted in accordance with the RMA, the title and the known formed road boundary, at that time. A copy of the LIM Report is attached in **Appendix 2**. The site plans for building permits in the LIM Report also identified the building setbacks from this road boundary. In addition, during this time, the FNDC has continued to service their road.

In order to resolve this situation, the applicant is seeking to undertake a boundary adjustment with the neighbouring landowner (Manuka Heights Limited). The applicant has an agreement to acquire the land within proposed Lot 2 (containing the access track, implement shed, water tank and front part of their dwelling), from the adjoining landowner and this will be amalgamated with the land in Allotment 112 Parish of Ruapekapeka in the Record of Title NA350/236.

After the boundary adjustment subdivision and the new land titles are issued, a separate process involving a land-swap with FNDC will be required to complete the road legalisation. This will allow the legal road to be realigned to match the existing formed alignment within proposed Lot 2 and to close the section of paper road that lies over the dwelling and garage. The road legalisation plan (5090-001 Draft) is included in **Appendix 5**. Furthermore, FNDC's Property Legalisation team have confirmed (refer **Appendix 6**) that this process will be undertaken under the Public Works Act once the new titles are issued.

### 2.0 Subject property

The properties subject to the boundary adjustment subdivision are located at 137 and 248 Hay Road, Ruapekapeka. Both properties are in the Rural Production Zone. An Aerial view and the operative Planning Map Zone and Overlay are presented in Figures 1 to 2 and the PDP Zone Map in Figure 3 below.

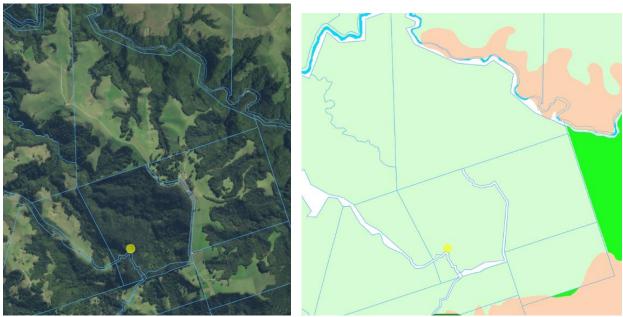


Figure 1: Property Aerial Map (Far North District Council Online Mapping)

Figure 2: Property Zones – Far North District Plan – Operative

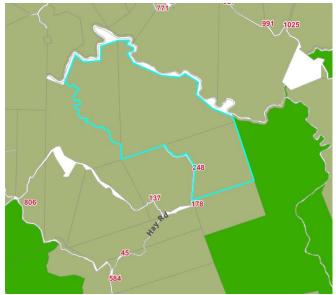


Figure 3: Property Zones

### 3.0 Existing Environment

Address	248 Hay Road, Ruapekapeka [NA350/236]
	137 Hay Road, Ruapekapeka [NA1131/33]
Legal description	Allotment 112 and Allotment 117 Parish of Ruapekapeka [NA350/236]. The registered
	owners of the property are Anthony Gerard and Marilyn Joy Schicker
	Pt Allot 113 Parish of Ruapekapeka [NA1131/33]. The registered owner of the property is
	Manuka Heights Limited.
Registered interests	Copies of the Records of Title are attached in <b>Appendix 3</b> .
	No registered interests are relevant or affected by the proposed boundary adjustment.
Existing easements	No existing easements.
Land area	215.8998 ha more or less [NA350/236]
	69.2012 ha more or less [NA1131/33]
Existing buildings	248 Hay Road contains a dwelling, garage, implement and hay sheds, disused cowshed and
	cattle yards.
	137 Hay Road contains a dwelling and garage.
Existing land use	248 Hay Road is a beef farm with areas of indigenous forest vegetation within steeper
	gully areas.
	137 Hay Road is predominantly covered in areas of indigenous forest and pine plantation.
	The pine trees are currently been harvested by the previous land owner.
	The current land uses will not change as a consequence of the proposed boundary
	adjustment.
Existing services	Both properties are fully serviced with independent electricity connections, wireless
	telecommunication services, along with onsite septic systems and water supplies for
	domestic and stock watering purposes. Stormwater is to ground soakage.
	The existing services will be retained and no changes are required as a consequence of the
	proposed boundary adjustment.
Vehicle Entrance /	Both titles have existing formed entrances at 137 and 248 Hay Road. Neither entrance will
Access	be affected by the proposed boundary adjustment.
Road formation	Hay Road is an unsealed road, no exit road. It has a narrow carriageway with a posted
	speed limit of 100km/hr, although due to its narrow width and winding nature the speed
	limit is likely to be around 50km/hour.
Topography	The topography of these properties is rolling hill country descending to some steeper
	slopes into incised gully areas.
Designations	Nil
Zones	Rural Production Zone
District plan overlays	Nil
Archaeological sites	No Archaeological sites identified on the property.
Natural Hazards	No Natural Hazards identified on the property.

### 4.0 Proposal

Pursuant to section 88 of the Resource Management Act ('RMA'), AG and MJ Schicker ('the Applicants) are applying for subdivision consent to create proposed Lots 1 and 2 from Pt Allot 113 Parish of Ruapekapeka [NA1131/33]. Lot 2 will be transferred to the applicant who own Allot 112 Parish of Ruapekapeka [NA350/236] via amalgamation condition. The landowner of Pt Allot 113 Parish of Ruapekapeka [NA1131/33], Manuka Heights Limited has agreed to the proposal.

A copy of the Scheme Plan is attached in **Appendix 4**.

The proposed boundary adjustment subdivision is further described below.

Lot sizes	Proposed Lot 1 = 68.312 ha (contains dwelling/garage and mixed indigenous bush and pine plantation)			
	Proposed Lot 2 = 8,800 m <sup>2</sup> (vacant land contains the applicant's access driveway,			
	implement shed, water tank and part of the dwelling) and will be transferred to the ov			
	of NA350/236 via amalgamation condition refer below.			
	The applicants title NA350/236 contains an area of approximately 215.90 ha and the			
	resulting area of the new amalgamated title will have an area of 216.78 more or less.			
Amalgamation	The following amalgamation Condition is proposed under Section 220(1)(b)(i) of the RMA:			
Condition:	That Lot 2 hereon be transferred to the owners of Allotment 112 Parish of			
	Ruapekapeka [RT NA350/236] and one Record of Title be issued to include both			
	parcels.			
Proposed easements	No proposed easements.			
Proposed dwelling	No new buildings are proposed.			
Vehicle access	The proposal will not result in any changes to vehicle access to either property.			
Services	Both titles are fully serviced.			
	Proposed Lot 2 will be transferred from the adjoining landowner's property to the			
	applicant's which is fully serviced.			
	No new services are required.			
Natural Hazards	Not relevant. Property is not identified as having any natural hazards.			

### **5.0** Consent Requirements

FNDC currently operates under two District Plans, being the Operative Far North District Plan 2009 (ODP) and the Proposed District Plan (PDP). Therefore, for any resource consent application lodged after the PDP notification (27 July 2022), the application may be assessed under both the ODP and the PDP (e.g. any provisions that have immediate legal effecter) and whichever rules are stricter or applicable.

### 5.1 Proposed District Plan

Council is undertaking a full review of the District Plan. The new version, the PDP was notified on 27 July 2022. The PDP introduces an updated, activity-based planning framework, supported by a digital ePlan and revised objectives and policies reflecting current district needs. Although the PDP is not yet operative and remains subject to change, some PDP provisions have immediate legal effect, including rules relating to:

- heritage items and their settings
- sites and areas of significance to Māori
- notable trees
- indigenous biodiversity and significant natural areas
- certain hazardous substances provisions

The Hearing process for submissions on the PDP is completed and the timetable for decisions are expected in 2026, after which the final plan, subject to any appeals will become operative (or part-operative, depending on appeals).

Meanwhile, Council has also notified a Change - Proposed Plan Variation 1 (minor corrections and other matters) was notified 14 October 2024. Submissions on that closed December 2024, and submissions were heard alongside the main PDP hearings.

As this boundary adjustment application only involves a shift in the legal boundary line between 2 existing titles and does not physically affect any land containing any of the above, these provisions are not relevant and no further consideration is required as part of this assessment.

### 5.2 Operative Far North District Plan 2009

The Operative Far North District Plan 2009 remains the primary planning document for assessing this resource consent application. It provides the zoning framework, activity statuses, standards, and district-wide provisions relevant to subdivision and land use.

This application for a boundary adjustment has been assessed against the applicable rules of the ODP.

### 5.3 ODP Rules Assessment

An assessment of the proposal against the relevant Subdivision Rules is presented below.

### 13.7 CONTROLLED (SUBDIVISION) ACTIVITIES

Subdivision is a controlled activity where it complies with the following standards and the standards set out in rules under 13.7.1, 13.7.2 and 13.7.3.

### 13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES

### **Boundary Adjustments Performance Standards:**

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; and

**Assessment** – Complies, the number and location of the existing access into NA350/236 and NA1131/33 will remain unchanged.

(b) there is no increase in the number of certificates of title; and

**Assessment** – The boundary adjustment complies as there is no change in the number of lots, as it involves two existing titles and on amalgamation results in 2 new titles.

(c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and

**Assessment** – The area of each adjusted lot complies with the minimum lot size for the rural production zone as:

- Lot 1 = 68.3212
- Lot 2 = 8800 m<sup>2</sup> and on amalgamation with NA350/236 (approximately 215.90 ha) will be 216.78 ha more or less

Both new lots exceed the minimum lot size is 20ha.

(d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and

**Assessment** – The parcel of land legally described as Allotment 112 Parish of Ruapekapeka within the Title NA350/236 lies to the east of Council's unformed paper road, while the land within NA1131/33 lies to the west of the paper road as shown in the Scheme Plan in **Appendix 4**. For all intense in purposes the two titles are contiguous. As such, the result of amalgamating the area within Lot 2 formed on NA1131/33 with NA350/236 will result in the new lots continuing to be contiguous, and achieves compliance consistent with the original lots.

(e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g. building setbacks, effluent disposal); and

**Assessment** – The boundary adjustment sites are large rural lots, both contain existing development (dwellings, garages, and farm sheds) which either pre-date the RMA and have existing use rights, approved building consents and are fully serviced with onsite septic tank and wastewater disposal fields. Furthermore, the proposed boundary adjustment does not alter the existing physical environment.

(f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites. Applications under this rule will not be notified but where these conditions cannot be met the application will be considered under the relevant zone rules set out in Rules 13.7.2 to 13.7.10.

**Assessment** – The boundary adjustment sites are large rural lots. The proposed boundary adjustment does not alter the existing physical environment. As such the new Titles contain existing development (dwellings, garages, and farm sheds) and these all have existing on-site drainage systems (stormwater, effluent disposal, potable water) wholly contained within the boundary of the adjusted sites, therefore complies with this standard.

### 13.7.2 ALLOTMENT SIZES, DIMENSIONS AND OTHER STANDARDS

# 13.7.2.1 MINIMUM AREA FOR VACANT NEW LOTS AND NEW LOTS WHICH ALREADY ACCOMMODATE STRUCTURES

### (i) RURAL PRODUCTION ZONE

Controlled Activity Status (Refer also to 13.7.3) - The minimum lot size is 20ha

### 13.7.2.2 ALLOTMENT DIMENSIONS

Any allotment created in terms of these rules must be able to accommodate a square building envelope of the minimum dimensions specified below; which does not encroach into the permitted activity boundary setbacks for the relevant zones:

Minimum Dimension - Rural Production Zone = 30m x 30m

**Assessment** - The resultant title created from the amalgamation of Lot 2 with Allotment 112 Parish of Ruapekapeka shall be deemed to comprise one contiguous parcel of land area as they will be contained within the same site.

### 13.7.2.3 AMALGAMATION OF LAND IN A RURAL ZONE WITH LAND IN AN URBAN OR COASTAL ZONE

Assessment – Not relevant – amalgamation does involve urban or coastal zone land.

### 13.7.2.4 LOTS DIVIDED BY ZONE BOUNDARIES

**Assessment** – Not relevant – Both titles are in the rural production zone and the lot are not divided by zone boundaries.

## 13.7.2.5 SITES DIVIDED BY AN OUTSTANDING LANDSCAPE, OUTSTANDING LANDSCAPE FEATURE OR OUTSTANDING NATURAL FEATURE

**Assessment** – Not relevant – Subject land is not within these areas.

### 13.7.2.6 ACCESS, UTILITIES, ROADS, RESERVES

**Assessment** - Under this rule, there is no minimum allotment size for land created or altered for access, utilities, roads, or reserves. The extent of land required for the boundary adjustment in Lot 2 is provided for by this rule.

#### 13.7.2.7 SAVINGS AS TO PREVIOUS APPROVALS

Assessment - Not relevant

#### 13.7.2.8 PROXIMITY TO TOP ENERGY TRANSMISSION LINES

Assessment - Not relevant - no 110kv lines pass through property.

#### 13.7.2.9 PROXIMITY TO THE NATIONAL GRID

**Assessment** - Not relevant – subject land is not in proximity to national grid.

### 13.7.3 CONTROLLED (SUBDIVISION) ACTIVITIES: OTHER MATTERS TO BE TAKEN INTO ACCOUNT

#### 13.7.3.1 PROPERTY ACCESS

**Assessment** - The existing property access to 137 and 248 Hay Road will remain unchanged. The level of vehicle use and number of movements will not change. Overall, the boundary adjustment will have no effect on property access.

### 13.7.3.2 NATURAL AND OTHER HAZARDS

Assessment - Overall, the boundary adjustment will have no effect on any natural or other hazards.

#### **13.7.3.3 WATER SUPPLY**

**Assessment** - Lot 1 and the amalgamated Lot 2 with Allotment 112 Parish of Ruapekapeka will continue to use the existing water supply system for domestic and stock water.

### 13.7.3.4 STORMWATER DISPOSAL

**Assessment** - Lot 1 and the amalgamated Lot 2 with Allotment 112 Parish of Ruapekapeka will continue to dispose of stormwater to ground soakage.

### 13.7.3.5 SANITARY SEWAGE DISPOSAL

**Assessment** - Lot 1 and the amalgamated Lot 2 with Allotment 112 Parish of Ruapekapeka have independent onsite septic tanks and associated wastewater fields and these will remain unchanged.

### 13.7.3.6 ENERGY SUPPLY

**Assessment** - Both titles are filly serviced with electricity. Power is located at the gateway to 248 Hay Road then underground to the dwelling and shed. This will be retained unchanged. No new connections are proposed.

### 13.7.3.7 TELECOMMUNICATIONS

**Assessment** – property is serviced by wireless network and will remain unchanged.

### 13.7.3.8 EASEMENTS FOR ANY PURPOSE

**Assessment** – not relevant – no easement proposed.

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

Assessment -Not relevant to proposed boundary adjustment.

### 13.7.3.10 ACCESS TO RESERVES AND WATERWAYS

**Assessment** –Not relevant as there is no existing public access to public reserves, waterways and esplanade reserves.

#### 13.7.3.11 LAND USE COMPATIBILITY

**Assessment** – There will be no change in the existing environment or land uses arising from the proposed boundary adjustment. Furthermore, there will be no adverse effects arising from incompatible land use activities (e.g. noise, vibration, smell, smoke, dust and spray) resulting from any existing land use as the land use will remain unchanged after the proposed boundary adjustment.

#### 13.7.3.12 PROXIMITY TO AIRPORTS

**Assessment** - Not relevant – subject land is not in proximity to national grid.

### 5.4 Consents Required

Based on the ODP assessment above, the proposal meets the performance standards for Rule **13.7.1** boundary adjustment and therefore requires a **Controlled Activity** resource consent. Given the proposal meets the conditions of Rule **13.7.1**, **17.7.2** and **13.7.3** no further assessment is required under Rules **13.7.4** to **13.7.10** of the ODP.

Furthermore, as noted in the ODP applications under Rule 13.7.1 will not be notified.

#### 5.5 Section 106 RMA

Under s106(1) the Council may refuse to grant a subdivision consent if it considers that either:

- a. any land in respect of which a consent is sought, or any structure on that land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- b. any subsequent use that is likely to accelerate, worsen, or result in material damage to that land, other land, or structure, by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- c. sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

#### **Assessment**

The propose boundary adjustment amalgamating Lot 2 and Allotment 112 Parish of Ruapekapeka [NA350/236] meets the standards 'a' to 'c' as it will not give rise to:

• any material damage, accelerate or worsen, the risks of erosion, falling debris, subsidence, slippage, or inundation from any source, and

will provide for the existing access track, implement shed, water tank and front of dwelling to be legally held with the applicant's property.

# 5.6 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011.

These regulations came not force on 1 January 2012 and apply when a person wants to do an activity in regulation 5(2) to (5(6) on a piece of land described in Regulation 5(7) or 5(8). Following review of the historical aerial photos contained within Council records, it does not appear that an activity that is listed in the Hazardous Activity and Industry List has been undertaken on the site. The proposed boundary adjustment will not affect current land use. In accordance with Regulation 5(7), the site is not a 'piece of land' and consent is not required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulation 2011.

### 6.0 Assessment of Environmental Effects

Pursuant to Schedule 4 clause 2(3) and clause 6 of the RMA, an application for resource consent shall include an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated. Schedule 4 clause 2 (3)(c) of the RMA specifies that an assessment of effects shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment.

### 6.1 Purpose of the Boundary Adjustment

The boundary adjustment is proposed to realign the existing cadastral boundary so that the applicant's access track and associated buildings, currently situated on Lot 2, are formally incorporated within the applicant's land holding. These improvements are located on the adjoining neighbour's property due to an historic boundary anomaly. Realignment will ensure that all access infrastructure and buildings functionally associated with the applicant's land are contained within the correct title, improving land management, legal clarity, and the long-term use of the site.

### 6.2 Effects of existing land

The site comprises two existing Titles located within the Rural Production Zone. Under the ODP, boundary adjustments are a Controlled Activity under Rule 13.7.1. The proposal does not increase in the number of titles complies with the minimum lot size for the Rural Production Zone as both reconfigured lots exceed the 20 ha requirement. Onsite infrastructure and existing services will remain fully functional. Furthermore, the existing legal and physical access to both parcels will be retained. The proposal involves no physical changes to the land; specifically, there will be no earthworks, no new building works, and no new infrastructure. There are no known archaeological or cultural sites present on either parcel.

### 6.3 Environmental Effects

No physical works are proposed, and therefore no effects on landform, vegetation, water bodies, or ecological values will arise. There are no known archaeological or cultural sites, and the proposal will not increase activity, development, or pressure on the land. Overall, any adverse effects of the boundary adjustment are negligible.

### 6.4 Rural Character and Land Use Effects

The boundary adjustment does not intensify use, introduce new activities, or alter rural character. Productive rural land will remain in contiguous parcels, and the proposal does not fragment land in a way that affects productive potential. Overall, existing rural character and productive land management are maintained.

### 6.5 Access and Infrastructure Effects

Existing access arrangements to both lots remain unchanged. No new infrastructure is required. Overall, the proposal has no adverse effects on access, transport safety, or infrastructure.

### 6.6 Land Management Effects

The boundary adjustment will have a positive effect as it eliminates an historic anomaly and more logically aligns land use and improvements with property boundaries. No land management issues are anticipated. The proposal is likely to improve clarity of ownership and overall management of both parcels.

### 6.7 Overall Conclusion

The proposed boundary adjustment meets all **Controlled Activity** standards under the ODP and generates no adverse effects on the environment, cultural values, access, rural character, or productive land use. The realignment rectifies an existing boundary anomaly and provides positive outcomes for land management, with no change in activity levels or land use intensity.

Overall, it is concluded that any actual or potential adverse effects of the proposal on the environment will have either no effects or be less than minor on the rural environment.

### 7.0 Section 104C of the RMA Assessment

As a Controlled Activity, the application is to be assessed in accordance with Sections 104C of the RMA.

Section 104C RMA sets out the matters a consent authority must consider when assessing an application for resource consent. These include the following:

- a. must grant the resource consent, unless it has insufficient information to determine whether or not the activity is a controlled activity; and
- b. may impose conditions on the consent under section 108 only for those matters—
  - i. over which control is reserved in national environmental standards, wastewater environmental performance standards, stormwater environmental performance standards, infrastructure design solutions, or other regulations; or
  - ii. over which it has reserved its control in its plan or proposed plan.

### 8.0 42A Reports to local authority

Section 42A of the RMA, states that a local authority may require the preparation of a report (s42A(1AA) and that the report does not need to repeat information in the applicant's application (s42A(1A). This includes information required under S88(2)(b) relating to the activity, including an assessment of the activity's effects on the environment, that is required by Schedule 4. Therefore, for the purposes of streamlining the resource consent process under the RMA, and to deliver efficiency in time and costs to the applicant, it is requested that Council under the provisions of Section 42A(1A) avoids repetition of the application information presented, namely

- existing environment
- description of the proposal
- District Plan Rules assessment
- assessment of environmental effects
- S104C of the RMA Assessment

in this application (where Council agrees with the assessment) in any section 42A report prepared by Council, by either:

- under Section 42A(1B)(a) adopt all the information in this application in full, or
- under section 42(A)(1B)(b) adopt any part of the information by referring to the part.

### 9.0 Conclusion

The proposal seeks to undertake a boundary adjustment via amalgamation of proposed Lot 2 with Allotment 112 Parish of Ruapekapeka, at 248 Hay Road.

The subject land is zoned Rural Production Zone.

There are no overlays, archaeological sites, significant trees, designations or other notations affected by the boundary adjustment as identified on the ODP maps.

The proposal defaults to consideration as a **Controlled Activity** as it meets the performance standards of Rules 13.7.1, 13.7.2 and 13.7.3 of the ODP.

The assessment contained in this report has demonstrated that the proposal does not create any actual or potential adverse environmental effects that would be more than minor.

It is also considered that no person has the potential to be adversely affected by the proposal in a minor or more than minor manner (i.e. adverse effects less than minor). The adjoining landowner (Manuka Heights Limited) has agreed to the proposal.

In this regard, it is maintained that the proposal is appropriate and can be granted subject to the imposition of appropriate conditions.

### **Appendix 1: Application Form**

## **Appendix 2: Land Information Memorandum**

### **Appendix 3: Records of Title**

### **Appendix 4: Subdivision Scheme Plan**

### **Appendix 5: Road Legalisation Plan (Draft)**

### **Appendix 6: Consultation**



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





Identifier NA350/236

Land Registration District North Auckland

**Date Issued** 31 March 1922

**Prior References** 

WA 2356

**Estate** Fee Simple

**Area** 215.8998 hectares more or less

**Legal Description** Allotment 112 and Allotment 117 Parish of

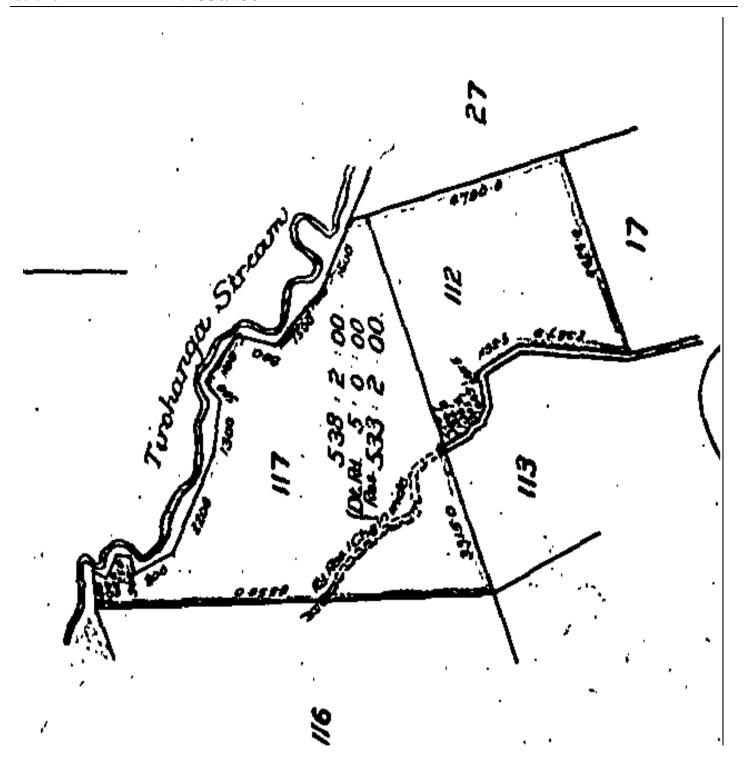
Ruapekapeka

**Registered Owners** 

Anthony Gerard Schicker, Marilyn Joy Schicker and Laurence William Roberts

### Interests

5250115.3 Mortgage to The National Bank of New Zealand Limited - 11.6.2002 at 3:39 pm





# RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD





Identifier NA1131/33

Land Registration District North Auckland

**Date Issued** 10 March 1955

**Prior References** NAPR209/33

**Estate** Fee Simple

**Area** 69.2012 hectares more or less

Legal Description Allotment 113 Parish of Ruapekapeka

Registered Owners

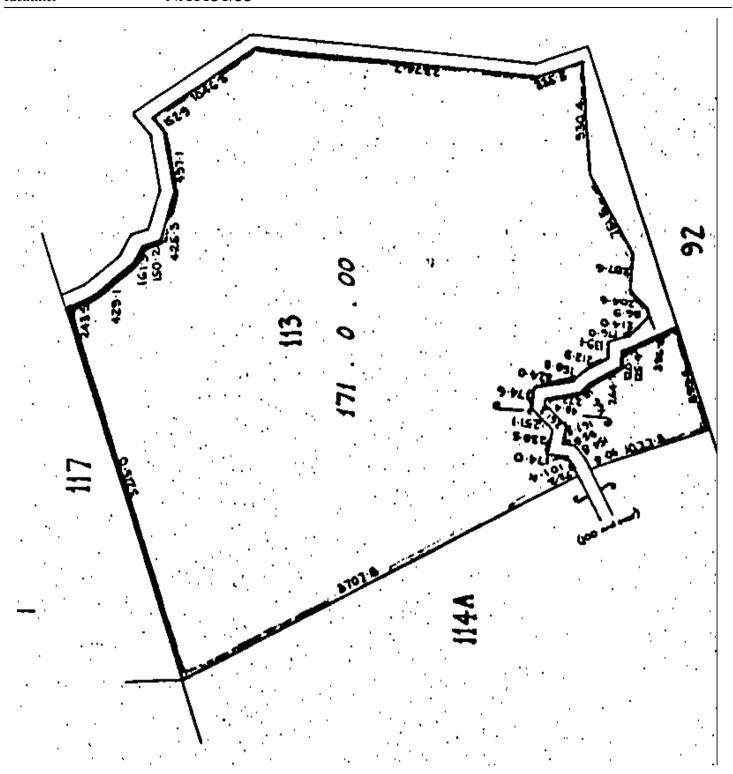
Manuka Heights Limited

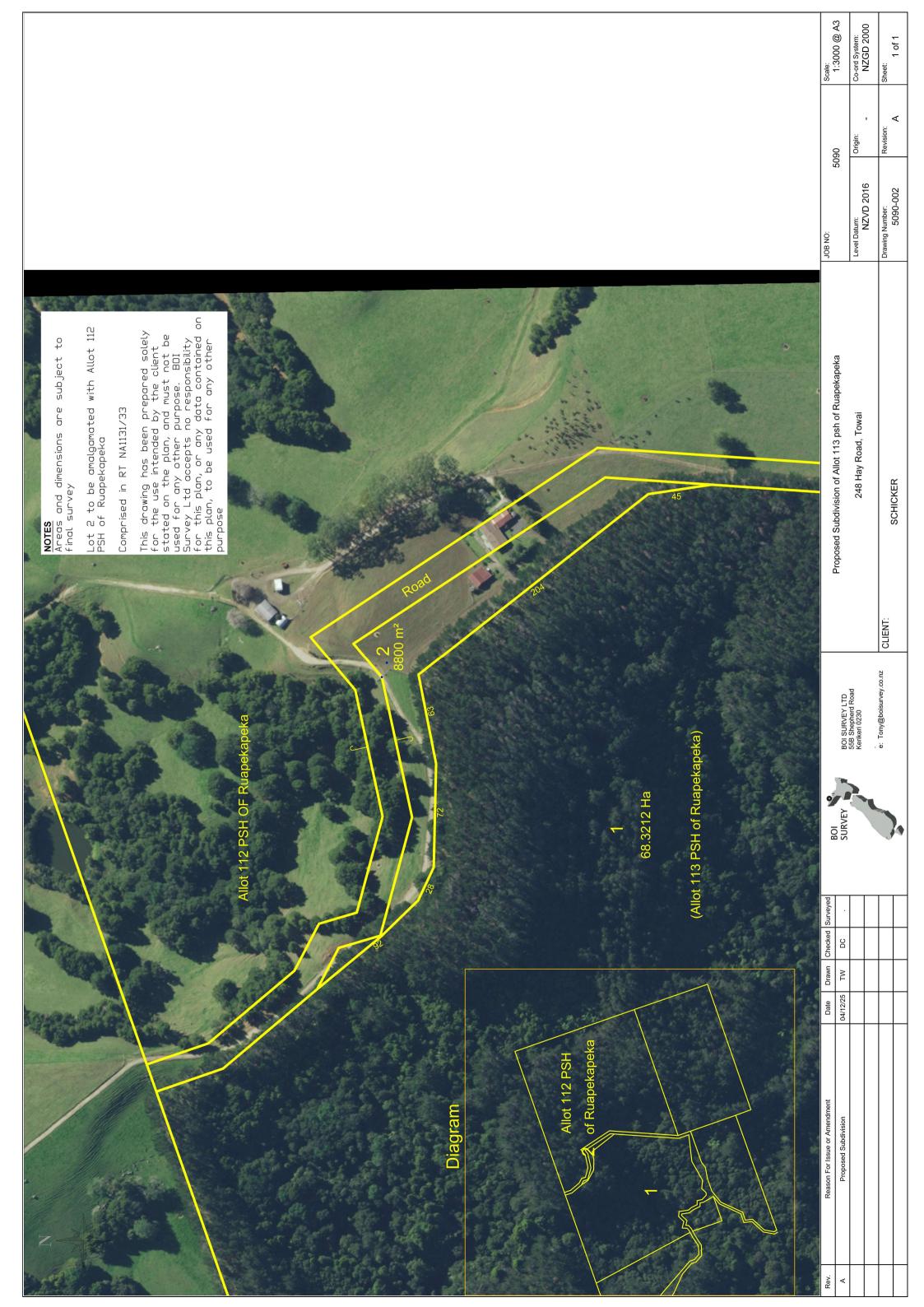
### **Interests**

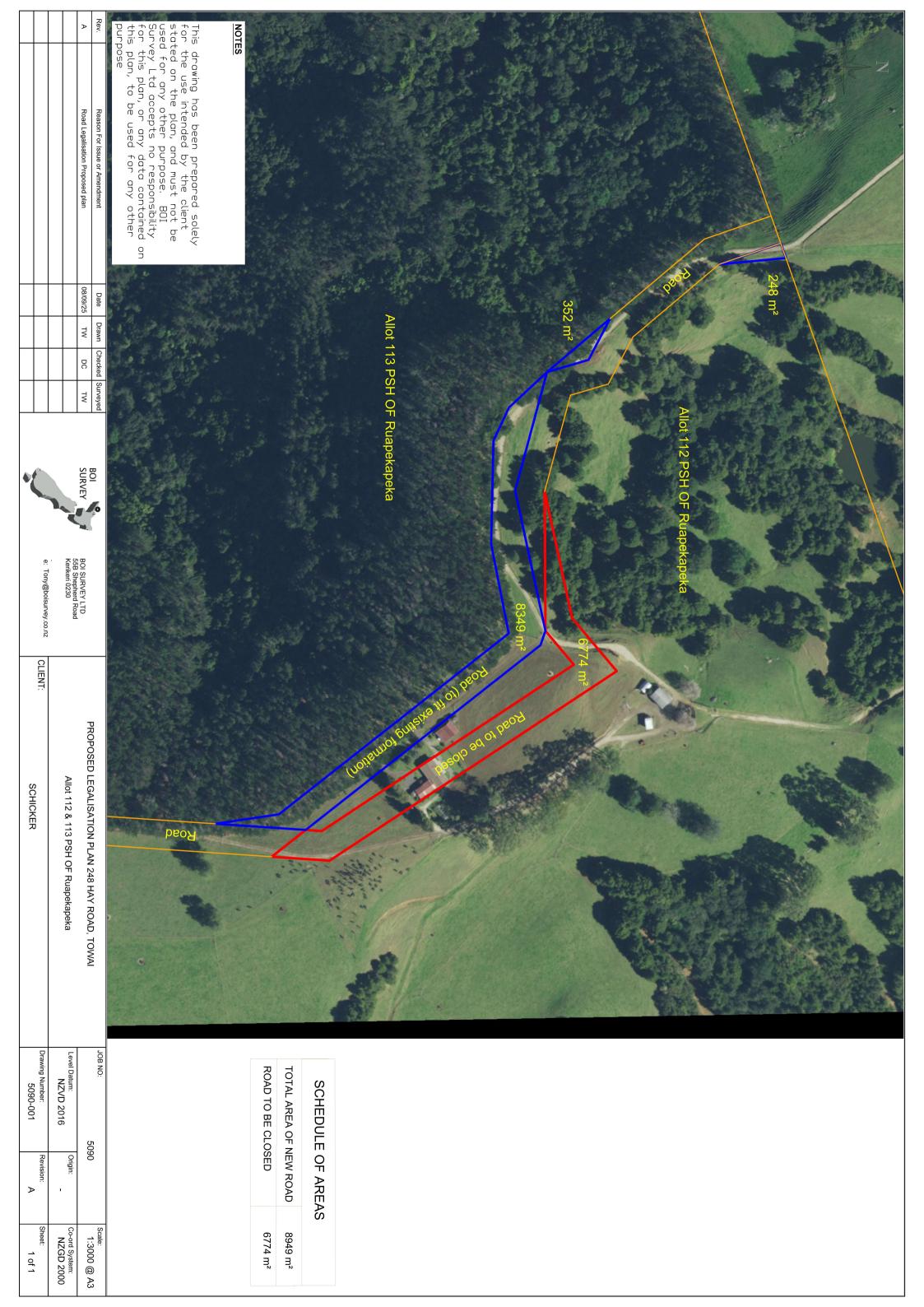
Subject to Section 59 Land Act 1948

13367480.1 Forestry Right pursuant to the Forestry Rights Registration Act 1983 to (now) FR Waipuna Limited - 6.8.2025 at 2:22 pm

13367480.3 Mortgage to Westpac New Zealand Limited - 6.8.2025 at 2:22 pm









### NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A - To be completed by Applicant

Applicant/s Name:	AG + MJ Schicker			
Address of proposed activity:	248 Hay Road, Ruapeka: peka, Towa,			
Legal description:	Allot 112 & 113 PSH of Ruapekapeka			
Description of the proposal (including why you need resource consent):	Road legalisation & Boundary adjustment.			
Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):	Legalisation Plan - Drawing  1. No. 5090-001  prepared by BoI survey Ltd  (dated 08-09-25)  3.  4.  5.  6.			

### **Notes to Applicant:**

- 1. Written approval must be obtained from all registered owners and occupiers.
- 2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
- 3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

### PART B - To be completed by Parties giving approval

### Notes to the party giving written approval:

- 1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
- 2. You should only sign in the place provided on this form and accompanying plans and documents if you fully understand the proposal and if you support or have no opposition to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
- Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval before a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
- 4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
- If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Manuka

approval:	1/orgen	yn W	indust viras	
Address of affected property including legal description	806 Ruaf		of Ruapekapeka, ika Road, Towai	
Contact Phone Number/s and email address	Daytime:	1395 d-	email: mbunded antiq comz,	
I am/we are the OWNER(S	S) / OCCUPIER(S) of the	property (circle	which is applicable)	
Please note: in most instances the approval of <b>all</b> the legal owners and the occupiers of the affected property will be necessary.				
I/We have been provide understand the propose.	led with the details concer sal and aspects of non-cor	rning the applica	ation submitted to Council and ne Operative District Plan.	
need to accompany th	is form).		respect of this proposal (these	
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.				
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.				
Signature Public	ndurt:	Date	3/10/25	
Signature Vacco	,vA	Date	310125	
Signature M51c	Jucker .	Date	3/16/25	
Signature Ay Su	ficher .	Date	3/10/25	
Private Bag 752	, Memorial Ave, Kaikohe 044	0, New Zealand,	Freephone: 0800 920 029,	

