

5. Applicant details

Name/s:

R. Hale

Email:

Phone number:

Work

Home

Postal address:

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

c/o Shane Stratton Surveying
286 Pakipahi Road
RD Hikurangi

Postcode 0182

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? ☐ Yes ☒ No

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Shane Stratton Surveying Ltd

Email:

Phone number:

Work

Home

Postal address:

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

~~P.O. Box 7144, Tikipunga, Whangarei~~

286 Pakipahi Rd
RD Hikurangi

Postcode 0182

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

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

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

Name/s:

Robert Lawrence Hale

Property address/
location:

212A Whalers Road
Pakemai 0484

Postcode 0484

8. Application site details

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

Name/s:

Site address/
location:

212 Whalers Road, Pukenui

Postcode

Legal description:

Lots 1 & 2 DP 194635

Val Number:

Certificate of title:

NA 123B/106 and NA 123B/105

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

Site visit requirements:

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

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

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

Please Phone Billy Hale Before coming Site

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.

Boundary adjustment of 2 existing titles as per attached scheme plan and AEE

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

10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard Consent

☐ Other (please specify)

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

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

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

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

☒ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

13. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

14. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. Billing Details:

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

Name/s: (please write in full)

Slane Station Savings

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

Fees Information

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

15. Billing details continued...

Declaration concerning Payment of Fees

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

Name: (please write in full)

Steve Stratton

Signature:

(signature of bill payer)

Date

27/11/25

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.

17. Declaration

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

Name (please write in full)

Kate Wood

Signature

Date

27/11/25

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

See overleaf for a checklist of your information...

Checklist

Please tick if information is provided

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

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

SHANE STRATTON SURVEYING LIMITED

PO Box 7144, Tikipunga, Whangarei, PH (09) 4371749 , Mob 027 4390092, Email shane@sbsurveyors.co.nz

Subdivision Application
212 Whalers Road, Pukenui

Report Prepared For:	R. Hale
Author:	Kate Wood, Planner
Consent Authority:	Far North District Council
Date:	November 2025

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ABBREVIATIONS

AEE	Assessment of Environmental Effects
FNDC	Far North District Council
FNDP	Far North District Plan
HAIL	Hazardous Activities and Industries List
LUC	Land Use Capability
NES-SC	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
NPS-HPL	National Policy Statement for Highly Productive Land
NRPS	Northland Regional Policy Statement
NZCPS	New Zealand Coastal Policy Statement
RMA	Resource Management Act, 1991
RPZ	Rural Production Zone

APPENDICES

Appendix 1	Scheme Plan
Appendix 2	Records of Title
Appendix 3	FNDC Form 9

1. INTRODUCTION

1.1 Report Basis and Statutory Context

This report has been prepared for R. Hale (the applicant) in support of a subdivision (boundary adjustment) application. The proposal seeks to adjust the boundaries of two adjoining sites located at Whalers Road, Pukenui.

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) outlining any actual or potential effects the proposed activity may have on the environment in accordance with the Fourth Schedule.

This report also identifies relevant provisions in the District Plan that determine the activity status of the application, and assesses any regional and national planning documents as required by s104(1)(b) of the RMA.

1.2 Proposal Summary

The proposal seeks to realign the boundaries of two existing adjoining titles in the same ownership, for the purpose of locating the curtilage of an existing dwelling within that same title.

Property 1 contains a residential dwelling with associated shed, water tanks and hardstand parking / manoeuvring areas. Property 2 is undeveloped, with an existing accessway from Whalers Road. Property 2 currently contains areas of curtilage associated with the dwelling on Property 1.

The proposed new boundaries have been drawn to ensure that there will be no change to the existing access for either property.

1.3 Property Details

	Property 1	Property 2
Owner	Robert Lawrence Hale	Robert Lawrence Hale
Location	212 Whalers Road	208 Whalers Road
Legal Description	Lot 2 DP 194635	Lot 1 DP 194635
Record of Title	NA123B/106	NA 123B/105
Site Area	1.85ha	5.47ha
District Plan Zone	Rural Production	Rural Production
Proposed Plan Zone	Rural Production	Rural Production

1.4 Relevant Title Interests

Consent Notice D653289.2 is registered on RT NA123B/105 (Property 2). The consent notice includes conditions relating to future built development of Property 2 and conditions controlling vegetation removal. No parts of the consent notice are affected by the proposed boundary adjustment. The consent notice will transfer in its entirety to the new title of Proposed Lot 1.

1.5 Other Approvals Required

No other approvals are required under either the Far North District Plan, or under any other planning document to give effect to the proposal.

2. THE SITE AND SURROUNDING ENVIRONMENT

2.1 The Sites

Location

The application sites both have frontage with Whalers Road at the eastern boundary of the properties. The existing allotment layout and property boundaries are shown on the cadastral map in Figure 1 below.

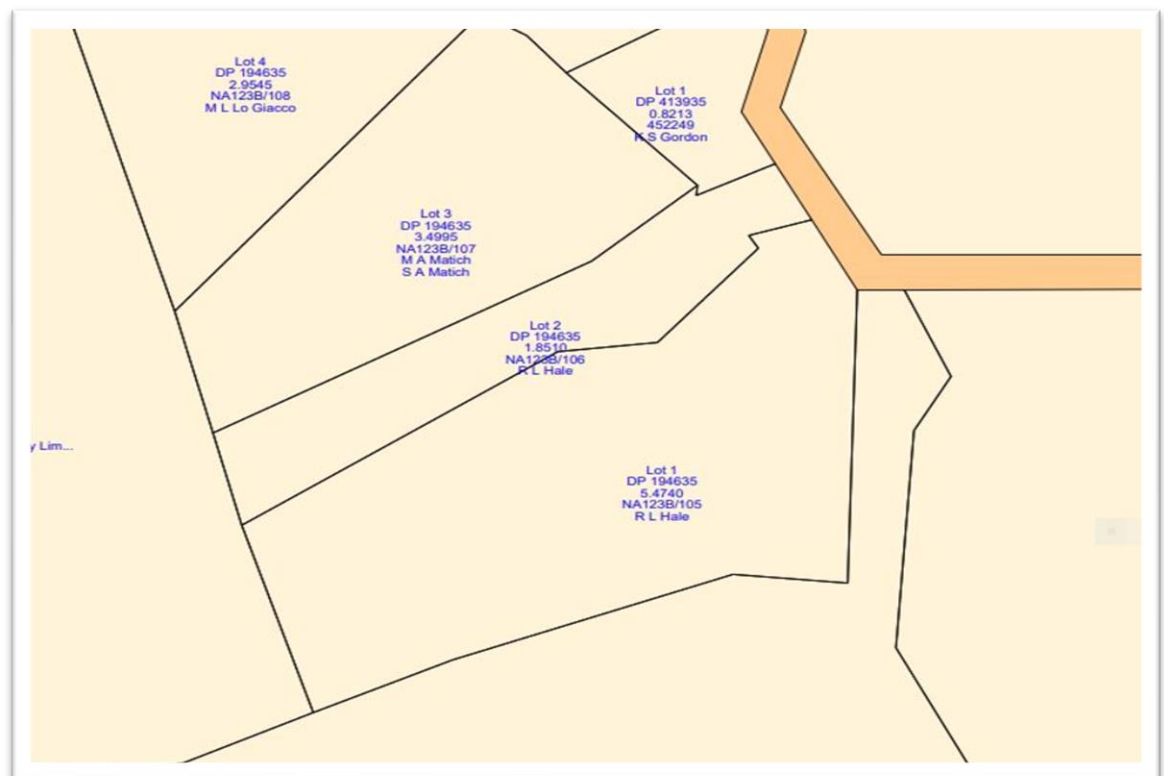


Figure 1: Cadastral Map

Property 1

Property 1 is legally described as Lot 2 DP 194635, comprised all in RT NA123B/106, with an area of 1.85ha. The property is elevated at the eastern end of the site, and slopes toward the west.

Development on the site includes a residential dwelling and shed, located at the eastern end of the property. Access is via a shared right of way from Whalers Road, over which the property is the servient tenement.

Property 2

Property 2 is legally described as Lot 1 DP 194635, comprised in RT NA123B/105, with an area of 5.47ha. The site is undeveloped and is predominantly in scrub. A narrow strip of open pasture extends along the majority of the northern boundary. The north-eastern corner of the site takes in the water tank, bore and family memorial site which all form part of the curtilage associated with the dwelling on Property 1.

Property 2 is undulating, with an existing vehicle crossing from Whalers Road. A formed driveway provides access to a building platform near the centre of the northern boundary.

2.2 The Surrounding Environment

The properties are located within a generally rural environment, although many allotments in the surrounding area are significantly smaller than the 20ha controlled activity subdivision size for the RPZ.

Surrounding land uses are those generally associated with rural lifestyle and small-scale rural production or horticulture lots. Lot sizes in the immediate locality are varied, ranging from approximately 8000m² to in excess of 30ha.

3. PROPOSAL

3.1 Overview

The proposal seeks to adjust the boundaries of the parent properties as follows:

Underlying Lot	Area	Proposed Lot	Area
Lot 1 DP 194635	5.47ha	Lot 1	4.82ha
Lot 2 DP 194635	1.85ha	Lot 2	2.51ha

3.2 Access

The existing access arrangements will remain unmodified. No additional users are facilitated by the proposal.

3.3 Site Suitability

An engineering site suitability report has not been provided in support of the application, on the basis that no additional allotments are being created, and there is no change to the location of the existing building platform available on Lot 2.

4. DISTRICT PLAN RULE ASSESSMENT

4.1 Zoning

The sites are zoned Rural Production under the FNDP.

4.2 Operative District Plan Rule Assessment

The proposal requires consent under the following District Plan rules:

Chapter 13 - Subdivision

13.7.1 BOUNDARY ADJUSTMENTS:

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*
- (b) there is no increase in the number of certificates of title; and*
- (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*
- (d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and*
- (e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and*
- (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 proposal complies with all clauses under Rule 13.7.1 except for Clause (c), because Proposed Lot 1 is already non-complying in size and will decrease with the proposed boundary adjustment.

The proposal cannot meet any of the controlled, restricted discretionary or discretionary subdivision provisions under the allotment sizes Rule Table 12.7.2.1, because the records of title for each property are dated post April 2000.

The proposal can comfortably meet all other Controlled Activity provisions under Rules 12.7.2.2 – 12.7.2.9.

Chapter 8 Rural Environment

The proposal complies as a permitted activity under all relevant rules of Chapter 8.

Chapter 12 Natural and Physical Resources

The proposal complies as a permitted activity under all relevant rules of Chapter 12.

Chapter 15 Transportation

The proposal complies as a permitted activity under all relevant rules of Chapter 15.

4.3 Activity Classification

The proposal is assessed overall as a non-complying activity.

4.4 Proposed District Plan (PDP) Weighting

The PDP was formally notified in 2022 and therefore must be considered. However, because no decisions on submissions have yet been issued and appeals accordingly resolved, the PDP is still early in the plan making process. As a result the Operative District Plan remains the dominant planning document in the assessment of resource consent applications.

4.5 PDP Assessment

The application sites are located in the Rural Production Zone under the PDP.

The application is assessed as a restricted discretionary activity under SUB-R1, Boundary Adjustments, as the degree of non-compliance with the controlled activity lot sizes for the Rural Production Zone will be increased (Lot 1).

The proposal complies with all permitted activity requirements under both the Area Specific Matters (Rural Production Zone) and the District Wide Matters.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1 Local Character and Amenity

The subdivision will not result in any new built development or intensification beyond the existing situation. Each lot can currently accommodate one dwelling as a permitted activity, (with an existing dwelling already located on Proposed Lot 2) and will also be able to accommodate one dwelling following the boundary adjustment.

No additional subdivision rights are gained, with no allotments able to be subdivided further as a controlled activity.

The existing amenity values, including privacy, open space, and visual character, will be maintained. No physical changes to any of the underlying properties will be required. There will be no physical change to the landscape whatsoever, as there are no proposed changes to the existing access arrangements.

5.2 Ecological and Landscape Effects

No vegetation clearance or earthworks are proposed or required. The existing landscape character and natural features will be retained. No upgrading of any vehicle access is required.

5.3 Cultural Effects

The proposal seeks to adjust the boundaries of two existing allotments without facilitating any additional built development, and without incurring any physical changes to the site. Having regard to the above and noting that there are no identified Sites of Significance to Māori on the application site, the potential effects of the proposal on cultural values are less than minor.

5.4 Access and Servicing

As the boundary adjustment does not facilitate additional dwellings or traffic generation, the proposal will not result in any increase in traffic volumes or demand on the local road network. There will be no change to the location of either vehicle crossing already servicing the sites.

No site servicing is required as there is an existing dwelling on Lot 2, and it is proposed that Lot 1 will remain vacant for the time being.

5.5 Cumulative Effects

The proposal does not enable any further intensification or change in land use. The cumulative impact of this subdivision is negligible and consistent with the intended outcomes for the Rural Production Zone.

5.6 Effects on Adjoining Owners

Given that there will be no increase in built development arising from the proposal, the potential effects on adjoining owners is considered to be less than minor.

5.7 Assessment of Effects Conclusion

Overall, considering that there will be no physical change whatsoever to the underlying environment, the potential effects relating to the proposal are considered to be less than minor.

6.0 Statutory Assessment

6.1 District Plan Objectives and Policies Assessment

Section 104(1)(b) of the RMA requires applications to be assessed against the relevant objectives and policies of the Operative and Proposed District Plans.

Operative District Plan

Applicable to this proposal are the objectives and policies of the Rural Production Zone and Subdivision Chapters.

Rural Production Zone Chapter

The objectives and policies of the Rural Production Zone collectively seek to achieve the following outcomes:

- A Rural Production Zone where a wide variety of activities take place in a manner that is consistent with the sustainable management of natural and physical resources and compatible with the productive intent of the zone.
- A Rural Production Zone which enables the social, economic and cultural well-being of people and communities, and their health and safety, while safeguarding the life supporting capacity of the environment and avoiding, remedying or mitigating adverse effects on it.
- A Rural Production Zone where the adverse cumulative effects of activities are managed and amenity values are maintained and enhanced.
- A Rural Production Zone where the adverse effects of incompatible activities are avoided, remedied or mitigated.

With regard to maintaining the productive intent of the zone, the proposal does not result in the loss of any productive land, as no further built development is facilitated. Any usable land will be entirely contained within Proposed Lot 2.

The proposal enables the well being of the property owner by locating curtilage of the existing dwelling on to the title that includes that dwelling.

With regard to maintaining rural character and amenity, the boundary adjustment does not increase either the number of allotments or subsequent potential for built development, and therefore the effects on rural character and amenity are negligible.

With regard to avoiding reverse sensitivity effects, the proposal does not in any way increase the potential for reverse sensitivity effects above what could currently occur, on the basis that no additional built development is facilitated, and, because there is no change to the existing rural land use of the sites.

Overall, the proposal is considered to align with the objectives and policies of the Rural Production Zone and achieves the anticipated outcomes of the zone.

Subdivision Chapter

The proposed boundary adjustment is consistent with the objectives and policies of the subdivision chapter for the following reasons:

- As discussed above, the proposal achieves the objectives and aligns with the policies of the RPZ, and therefore sits comfortably with Objective 13.3.1.
- The subdivision pattern is consistent with existing land uses.
- No heritage resources, outstanding landscapes or features, or areas of significant indigenous vegetation / habitats of indigenous fauna are present on the property. (Objectives 13.3.3, 13.3.4, Policy 13.4.6)
- There are not considered to be any effects on natural character, ecological values, landscape values, cultural values or existing land uses (Policy 13.4.1).
- No other objectives or policies of the subdivision chapter are considered relevant to the proposal.

Proposed District Plan

Rural Production Zone Chapter

The objectives and policies of the Rural Production Zone of the PDP seek to maintain the productive land resource (RPROZ-01, 02,03, P1,P5, P6) avoid reverse sensitivity effects (RPROZ-03, P3, P7), and maintain rural character and amenity (RPROZ-04, P4).

With regard to the proposed activity, each application site is already of limited size and is therefore not particularly productive. Notwithstanding, there is no overall loss of productive land as there is no fragmentation of the land and no further built development facilitated. Proposed Lot 2 contains an area of Class 3 HPL, which will be entirely contained within one site.

With regard to reverse sensitivity effects, the proposal does not exacerbate the existing potential for any reverse sensitivity as no additional dwellings are facilitated, and the potential location of building sites is not altered. As such, the proposal is considered to be consistent with the objectives and policies of the PDP and gives effect to the overarching purpose of the Rural Production Zone.

Subdivision Chapter

The proposal finds no problem with the objectives or policies of the subdivision chapter of the PDP on the basis that the objectives of the RPZ are achieved (SUB-01) and there is no loss of highly productive land (SUB-02).

SUB-P1 seeks to enable boundary adjustments that:

- a. Do not alter:
 - i. The degree of non-compliance with District Plan rules and standards;
 - ii. The number and location of any access; and
 - iii. The number of certificates of title; and
- b. Are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

With reference to SUB-P1, the proposal sits comfortably with all relevant aspects of this policy. Clause (a)(i) and (b) are not considered relevant as each allotment is already well below the minimum lot size requirement for the RPZ, and although Proposed Lot 1 will further decrease in area, Proposed Lot 2 will conversely increase.

Overall, the proposal sits comfortably with all relevant objectives and policies of the subdivision chapter of the PDP.

6.2 Section 104(1)(b) Assessment

Section 104(1)(b) of the RMA requires a consent authority to have regard to the relevant provisions of the following planning and regulatory documents:

- (i) a national environmental standard:
- (ii) other regulations:
- (iii) a national policy statement:
- (iv) a New Zealand coastal policy statement:
- (v) a regional policy statement or proposed regional policy statement:
- (vi) a plan or proposed plan.

The proposal is assessed against the relevant requirements of S104(1)(b) as follows:

(i) national environmental Standards

National Environmental Standard for assessing and managing contaminants in soil to protect human health (NES-SC)

The proposed activity involves the subdivision of land, and therefore assessment against the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) is required (104(1)(b)(i). In this case, each allotment is exempt from the NES requirements, as they will continue to be used as production land.

(ii) other regulations

No other regulations are relevant or applicable to the proposal.

(iii) national policy statements

National Policy Statement for Highly Productive Land (NPS-HPL)

The NPS HPL is concerned with protecting of the country's most productive soil types from fragmentation so that there is enough land available for primary food production.

The site is identified as containing Land Use Capability Class 3 land (Proposed Lot 2) and Class 6 land (Proposed Lot 1), and therefore assessment under the NPS-HPL is required.

The proposed boundary adjustment will not result in any reduction or loss of highly productive soils within the subject sites. The proposal merely seeks to rationalise internal boundaries between these adjoining rural properties. The total area and extent of highly productive land will remain unchanged, and no additional titles, building platforms, or development rights are created. As such, the proposal will not compromise the productive potential or versatility of the land resource. The reconfiguration is consistent with the outcomes sought by the NPS-HPL, which seeks to maintain the availability and productive capacity of highly productive land for primary production, by locating all the Class 3 land within one title (Lot 2). Similarly, the proposal aligns with the objectives and policies of both the Operative and Proposed District Plans, which seek to protect rural land and soil resources from fragmentation or activities that would diminish their productive value. Accordingly, the boundary adjustment is considered to maintain the integrity and long-term availability of highly productive soils within the District.

(iv) A New Zealand coastal policy statement

The NZCPS is not applicable to this proposal.

(v) A regional policy statement or proposed regional policy statement

The NRPS sets out strategic direction for managing the use, development and protection of the natural and physical resources of the region. The strategic objectives and policies of this document have in effect been adopted into the Far North District Plan. The site does not sit within the Outstanding Natural Landscape classification under the NRPS.

(vi) A plan or proposed plan

The proposed Far North District Plan is relevant to the application and has been addressed in Sections 4.5 and 6.1 of this report.

6.3 S104D – Gateway tests and Plan Integrity

The proposal passes both of the gateway tests in s104D of the RMA. Specifically, the effects on the environment are no more than minor (negligible) and the application is not contrary to the relevant objectives and policies of the FNDP.

A decision to grant consent to this non-complying subdivision will not adversely affect the integrity of the District Plan.

The proposal has unique characteristics including:

- The proposal will not result in any change to the existing environment.
- There are unusually small lots in the immediate vicinity of the property (adjoining to the north boundary).
- The open rural character and use of the site will be retained.

6.4 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. This is not the case with this application, however, for completeness the proposal is deemed to be consistent with the purpose of the RMA for the following reasons:

- The proposal has no impact on natural and physical resources.
- The proposal safeguards the life-supporting capacity of soil.
- There are no adverse effects on the environment.
- There are no adverse effects on human health.

7.0 NOTIFICATION

7.1 Public Notification

Pursuant to s95A of the RMA, Section 5 of this report concludes that any adverse effects associated with the proposed subdivision 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. Public notification is not required.

7.2 Limited Notification

Pursuant to s95B and having considered the requirements of s95E-G of the RMA, Section 5.6 of this report confirms that the effects associated with all aspects of this proposal on owners and occupiers of adjoining properties will be less than minor. Limited notification is not required.

8.0 CONCLUSION

The proposal involves the boundary adjustment of two adjoining rural properties, located at Whalers Road, Pukenui. The boundary adjustment seeks to realign undeveloped portions of land, with no increase in development rights gained. The proposal is a non-complying activity simply because the degree of non-compliance of Lot 2 is increasing as a result of the

boundary adjustment. This is considered irrelevant as Lot 1 will conversely increase by the same amount.

No further built development is facilitated by the proposal. No additional site servicing is required. No increase in vehicular traffic to either site is facilitated.

The effects of the proposal are negligible as there will be no perceptible change to the existing environment.

The proposal aligns with, and is not contrary to, the objectives and policies of the Rural Production Zone of the District Plan.

Having regard to the relevant matters in s104(1) and 104D of the RMA, the proposal can be approved subject to appropriate conditions of consent.

THE RESOURCE MANAGEMENT ACT 1991
SECTION 221: CONSENT NOTICE

IN THE MATTER of Plan 194635

PURSUANT to Section 221 and for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by **THE FAR NORTH DISTRICT COUNCIL** to the effect that the conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and any subsequent owners after the deposit of the survey plan, and is to be registered on the appropriate titles.

SCHEDULE

1. (a) The condition is that prior to the issuing of a building consent for a dwelling, the applicant shall submit a satisfactory on-site effluent disposal report in respect of a selected building site on the lot which has been indicated on a copy of the sub-divisional plan, carried out by a registered engineer or a registered drainlayer in accordance with the terms and criteria of the Auckland Regional Council Technical Publication 58 to prove that adequate capability for effluent disposal is available and can be contained within the respective boundaries of the proposed allotment and that such discharge would be in compliance with the Regional Council Discharge Rules and Permitted Activity Criteria.
- (b) The land affected by this condition is 5.4740 hectares more or less being Lot 1 on Deposited Plan 194635 and part of the land formerly comprised and described in Certificate of Title Volume 63C Folio 575 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 123B Folio 105 (North Auckland Registry); 3.4995 hectares more or less being Lot 3 on Deposited Plan 194635 being part of the land formerly comprised and described in

Certificate of Title Volume 63C Folio 575 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 123B Folio 107 (North Auckland Registry); 2.9545 hectares more or less being Lot 4 on Deposited Plan 194635 being the residue of the land formerly comprised and described in Certificate of Title Volume 63C Folio 575 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 123B Folio 108 (North Auckland Registry).

2. The conditions are that:

- (i) All existing vegetation contained on the land described below, except that which is required to be removed for the provision of access and house sites, is to be preserved in perpetuity and shall not without prior written consent of the Far North District Council, and then only in strict accordance with any conditions imposed by the Far North District Council, be cut down, damaged or destroyed, nor shall the registered proprietor suffer or permit the cutting down, damage or destruction of any such vegetation but the registered proprietor shall be deemed to be not in breach of this prohibition if any such vegetation shall die from natural causes not attributable to any act or default by or on behalf of the registered proprietor or for which the registered proprietor is responsible; and
- (ii) No building shall be erected on the land described below without the prior approval of the Far North District Council to specific designs for any earthworks required and building foundations prepared by a registered engineer with geotechnical expertise.
- (iii) The land affected by these two conditions is 5.4740 hectares more or less being Lot 1 on Deposited Plan 194635 and part of the land formerly comprised and described in Certificate of Title Volume 63C Folio 575 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 123B Folio 105 (North Auckland Registry).

SIGNED:

P. J. Killalea

Resource Consents Manager for the FAR NORTH DISTRICT COUNCIL

DATE:

24th September 2001

SIGNED by Robert Lawrence Hale

And Meghan Luanne Hale

in the presence of

)

R. L. Hale

)

[Signature]

[Signature]

D. R. FOUNTAIN
SOLICITOR
KAITIAIA

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

(Deposited Plan

North Auckland Registry)

2.50 01.NOV01 D 653289.2

⊙ LINZ COPY

PATRICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
FOR REGISTRATION



FOUNTAIN MANNING & CO.
SOLICITORS
KAITIAIA

63c/5115

6020

38-



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **NA123B/105**
Land Registration District **North Auckland**
Date Issued 01 November 2001

Prior References
NA63C/575

Estate Fee Simple
Area 5.4740 hectares more or less
Legal Description Lot 1 Deposited Plan 194635
Registered Owners
Robert Lawrence Hale

Interests
Subject to Section 59 Land Act 1948
D653289.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 1.11.2001 at 2.50 pm



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




R.W. Muir
Registrar-General
of Land

Identifier **NA123B/106**
Land Registration District **North Auckland**
Date Issued 01 November 2001

Prior References
NA63C/575

Estate Fee Simple
Area 1.8510 hectares more or less
Legal Description Lot 2 Deposited Plan 194635
Registered Owners
Robert Lawrence Hale

Interests

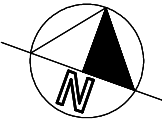
Subject to Section 59 Land Act 1948

Subject to a right of way and to telecommunications rights over part marked A on DP 194635 specified in Easement Certificate D653289.5 - 1.11.2001 at 2.50 pm

The easements specified in Easement Certificate D653289.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to convey electricity over part marked A on DP 194635 created by Easement Instrument 5908037.2 - 23.2.2004 at 9:00 am

The easements created by Easement Instrument 5908037.2 are subject to Section 243 (a) Resource Management Act 1991
10310171.4 Mortgage to ANZ Bank New Zealand Limited - 16.2.2016 at 2:53 pm



- Notes:
- 1./ Zoning - Rural Production
 - 2./ Dimensions shown hereon are subject to survey
 - 3./ Imagery background Capture date - June 2025
 - 4./ Contours shown hereon are terms of NZVD 2016

AREA SCHEDULE

LOT	Previous Area	Adjusted Area	% Difference
LOT 1	5.4740	4.8163	- 12%
LOT 2	1.8510	2.5087	+ 26%

EXISTING EASEMENTS

Purpose	Shown	Servient Tenement (Burdended Land)	Dominant Tenement (Benefited Land)	Created by
ROW & Telecommunications	A	LOT 2 Hereon	LOT 3 DP 194635	D653289.5
Convey Electricity	A	LOT 2 Hereon	LOT 3 DP 194635	EI5908037.2

No	Date	Details	By	Ver	App



MSGC Ltd
Muriwai 0881
mickdonnell@gmail.com
+64 21 612 466

CLIENT:
R Hale

LOCATION:
212 Whalers Road
Pukenui

(SCHEME PLAN)
LOTS 1 & 2 BEING A BOUNDARY ADJUSTMENT
OF LOTS 1 & 2 DP 194635

Date: 14-07-2025	Ref No: 2026 - 001
Scale: 1:1500	Paper Size: A3
Drawn: MM	Rev: 7

DP 211239
2.2956
NA138C/362
Trebcado Limited

Lot 2
DP 413935
6.1236
452250
K S Gordon

Lot 6
DP 204703
29.0000
NA132C/85
New Zealand Watermelon Dist...

Lot 4
DP 194635
2.9545
NA123B/108
M L Lo Giacco

Lot 1
DP 413935
0.8213
452249
K S Gordon

Lot 3
DP 194635
3.4995
NA123B/107
M A Matich
S A Matich

Lot 2
DP 194635
1.8510
NA123B/106
R L Hale

Lot 1
DP 194635
5.4740
NA123B/105
R L Hale

Lot 5
DP 477138
21.1580
660771
R B Freeman
S G Soltysik Freeman
Far North Trustee Services