



Whakatane District Council

Your ref:

Our ref:

24.3.02.32
4770/0560/000

5 June 2002

The Manager
Woodhills Properties Limited
C/- Flaherty Survey and Mapping Limited
P O Box 449
ROTORUA

Attention: M Flaherty

Dear Sir/Madam

**RESOURCE CONSENT (SUBDIVISION): WOODHILLS PROPERTIES LIMITED,
560 STANLEY ROAD, WAINUI.**

On 5 June 2002, the District Planner, under delegated authority, resolved as follows:

- "1. *THAT pursuant to Sections 34(4), 104, 105 and 108 of the Resource Management Act 1991 and Rule 4.1.8.1 of the Proposed Whakatane District Plan (Rural) Council grants consent as a controlled activity to subdivide into two lots land legally described as Lot 2 DPS 63372 at 560 Stanley Road, Wainui, subject to the following conditions:*
 - (a) *The proposed activity shall be carried out in general accordance with the plans and information submitted as part of this application, except where modified by any other condition of this consent.*
 - (b) *That Lot 1 hereon be transferred to the owner of Lots 2 and 3 DPS 9839 (CT SA6A/40) and that one Certificate of Title be issued to include all three parcels. See Request 66845.*
 - (c) *That a monitoring fee of \$36.00 (inclusive of GST) be paid to Council as a single charge for the administration, monitoring and supervision of this resource consent. Notwithstanding the above, where there is good and reasonable cause for unprogrammed monitoring and additional site inspections, then the costs of that will be a charge on the consent holder. Such costs are recovered on an actual and reasonable basis as defined in the General Conditions and Notes of the Fees and Charges Schedule as approved by Council in terms of Section 36 of the Resource Management Act 1991.*
2. *THAT pursuant to Section 223 of the Resource Management Act 1991, the Authorised Officer shall approve the Survey Plan in respect of the above subdivision once the Survey Plan is submitted and is in accordance with the approved subdivision consent.*

RC\02\3250506

3. *THAT pursuant to Section 224 of the Resource Management Act 1991, the Authorised Officer shall sign a certificate in respect of the above subdivision, stating that all conditions of subdivision consent have been complied with to his satisfaction.*

Advice Note

It is noted that there is a pa site (W15 597) on the neighbouring site (Lot 2 DPS 9839) to be amalgamated with Lot 1 hereon. This site maybe close to the proposed new logging road that is to formed on Lot 1, and as such, appropriate measures should be taken to ensure that this site is protected. Furthermore, any earthworks associated with the new road will need to comply with any relevant rules contained in the District and Regional Plans otherwise a resource consent will be required.

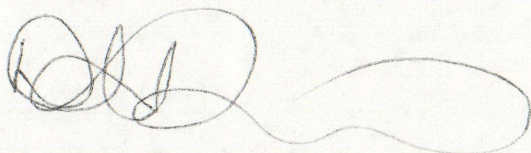
Reasons

1. *Council is satisfied that this proposal is in accordance with Part II matters of the Resource Management Act 1991, as it does not involve a change in land-use so will not adversely affect the ability of this land to meet the needs of future generations. Council, therefore, believes that this subdivision is an efficient use of land and the amenity values and environmental quality of this area will not be adversely affected.*
2. *The proposed subdivision is a controlled activity under the Rural 2 (Foothills) Zone of the Proposed Whakatane District Plan (Rural). The subdivision complies with Rule 4.1.8.1 relating to boundary adjustments. Council is satisfied that there are no adverse environmental effects any more than minor resulting from this subdivision as there are no land-use changes and the land is still to be used for primary production purposes.*
3. *The proposal is not contrary to the objectives and policies of the Proposed Whakatane District Plan (Rural), as the productive capability of the land and soils are not compromised."*

In accordance with Section 357 of the Resource Management Act 1991, you have the right to submit to Council an objection to the conditions of this approval. Any objection must be lodged within fifteen working days of the decision being received. If you are not satisfied with the decision of Council to your objection, you have the right to appeal to the Environment Court within fifteen working days of receiving the decision on the objection.

If you have any further enquiries, please contact Tony Bullard, (Planner), at this office.

Yours faithfully



David Bewley
DISTRICT PLANNER

Transmission Report

Date/Time 18- 7-01:17:50
G3 Local Terminal ID 64 7 308 5804
G4 Local Terminal ID
Local Name ENVIRO SERVICES DEPT
Company Logo WHAKATANE DIST COU

This document was confirmed.

Document Size A4S

4770/0560/000



Whakatane District Council

ADDRESS ALL CORRESPONDENCE TO:
The Chief Executive
Whakatane District Council,
Private Bag 1002, WHAKATANE

TELEPHONE: (07) 307 9800
FAX: (07) 307 0718

DATE: 18 July 2001

TO: 09 303 2311
Carrie Follas
Phillips Fox

FROM: Director Environmental Services

NUMBER OF PAGES (including this one) (if all pages not received, please advise)

OVERSEAS INVESTMENT CERTIFICATE

Please find attached a copy of the map reprinted from the New Zealand Historic Places Trust Register of Archaeological Sites. The site is a Pa site. It is shown to be located on an adjoining property to the one for which we issued an Overseas Investment Certificate. Its location is accurate to +/- 100 metres.

If you require further information please contact me.

Regards

Diane Turner
DIRECTOR
ENVIRONMENTAL SERVICES

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Total Pages Confirmed : 2

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Note :

EC: Error Correct
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RA: Receive Again
RS: Relay Send

RE: Resend
PG: Polling a Remote
RB: Remote was Busy
RV: Remote Service

BC: Broadcast
MB: Send to Mailbox
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SA: Send Again

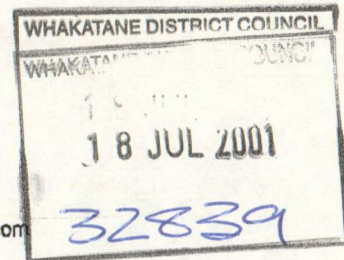
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MP: Multi Polling
RM: Receive to Memory
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Email auckland@phillipsfox.com



Fax

To:	Whakatane District Council	Fax number:	07 307-0718
Attention:	Dianne Turner, Director, Environmental Services	Your ref:	4770/0560/000 07161/021.01
From:	Carrie Follas	Our ref:	AK706960
Date:	18 July 2001	No. of pages:	3

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Overseas Investment Certificate

I refer to your letter of 22 May 2001 wherein you forwarded your certificate pursuant to the Overseas Investment Regulations 1995. We attach a copy of your letter together with a copy of your certificate for your ease of reference.

In point 9 of your certificate you advise that the land is and does adjoin land that exceeds .4 hectares in area which is an historic place, an historic area, Wahi Tapu or Wahi Tapu area entered in the register established under the Historic Places Act 1993. The Overseas Investment Commission has queried whether the 2 hectare area that our client is looking to acquire includes or adjoins the historic place or whether the historic place is located elsewhere on the land or the adjoining land. We would be grateful if you could advise by return (preferably by indicating on a map) the location of the "historic place" and the nature of that historic place.

I look forward to hearing from you as a matter of urgency as this information is required in order to progress our client's application.

Yours sincerely

Carrie Follas
Partner

Direct Line: (09) 300 3813
E-mail: carrie.follas@phillipsfox.com
Encl F:\DOCS\MCBUJLY WEEK 3\WED03.DOC



Whakatane District Council

Your ref:

Our ref:

4770/0560/000
07161/021.01

22 May 2001

Phillips Fox
Lawyers
PO Box 160
AUCKLAND

ATTENTION: CARRIE FOLLAS

Dear Madam

**RE: OVERSEAS INVESTMENT CERTIFICATE
560 STANLEY ROAD, WAINUI, WHAKATANE**

Further to your letter dated 9 May 2001, please find enclosed Overseas Investment Certificate in relation to the above property together with our invoice of \$135.00 being the application fee.

If you have any queries in relation to the above, please do not hesitate to contact the writer.

Yours faithfully

Diane Turner
DIRECTOR
ENVIRONMENTAL SERVICES

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Whakatane District Council

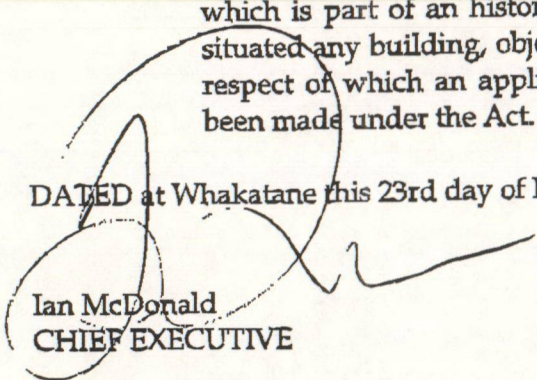
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TELEPHONE NO: 07-307-9800
FAX NO: 07-307-0718

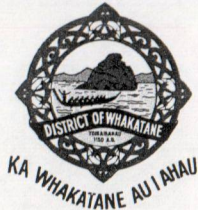
Certificate Pursuant to the Overseas Investment Regulations 1995

Pursuant to the Overseas Investment Regulations 1995 Whakatane District Council hereby certifies that the land described in the schedule hereto:

1. is situated in the District of Whakatane;
2. has a zoning of Rural B under the provisions of the Transitional Whakatane District Plan;
3. is zoned Rural 2 (Foothills) under the provisions of the Proposed Whakatane District Plan (Rural);
4. is not or does not adjoin the foreshore;
5. is not or does not adjoin any lake, the bed of which exceeds eight hectares in area;
6. is not and does not adjoin land that exceeds 0.4 hectares in area which is held for conservation purposes under the Conservation Act 1987;
7. is not and does not adjoin land that exceeds 0.4 hectares in area which is provided as a reserve, a public park, for recreation purposes, or as a private open space, or as provided for any such purpose, or is subject to a heritage order, under any operative regional plan or proposed or operative district plan under the Resource Management Act 1991;
8. is not and does not adjoin land that exceeds 0.4 hectares in area which is the subject of a notice of requirement for a heritage or by a Heritage Protection Authority under the Resource Management Act 1991 or by the Historic Places Trust under Historic Places Act 1993;
9. is and does adjoin land that exceeds 0.4 hectares in area which is an historic place, an historic area, wāhi tapu, or a wāhi tapu area entered in the register established under the Historic Places Act 1993 or in respect of which an application or proposal for entry in the register has been made under the Act;
10. does not form and does not adjoin land that exceeds 0.4 hectares in area which is part of an historic place entered in that register or on which is situated any building, object, or chattel that is entered in any register or in respect of which an application or proposal or entry in that register has been made under the Act.

DATED at Whakatane this 23rd day of May 2001.


Ian McDonald
CHIEF EXECUTIVE



Whakatane District Council

Your ref:

Our ref:

4770/0560/000

07161/021.01

22 May 2001

Phillips Fox
Lawyers
PO Box 160
AUCKLAND

FILE

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Yours faithfully

Diane Turner
DIRECTOR
ENVIRONMENTAL SERVICES

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Whakatane District Council

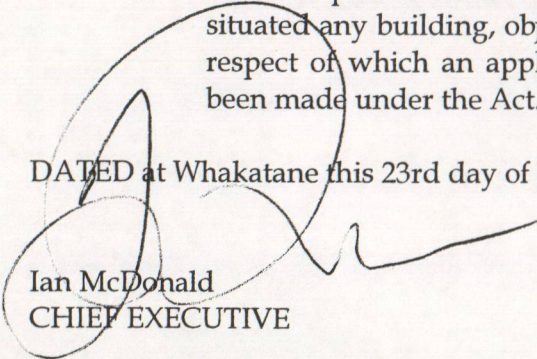
PRIVATE BAG 1002, WHAKATANE 3080
TELEPHONE NO: 07-307-9800
FAX NO: 07-307-0718

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5. is not or does not adjoin any lake, the bed of which exceeds eight hectares in area;
6. is not and does not adjoin land that exceeds 0.4 hectares in area which is held for conservation purposes under the Conservation Act 1987;
7. is not and does not adjoin land that exceeds 0.4 hectares in area which is provided as a reserve, a public park, for recreation purposes, or as a private open space, or as provided for any such purpose, or is subject to a heritage order, under any operative regional plan or proposed or operative district plan under the Resource Management Act 1991;
8. is not and does not adjoin land that exceeds 0.4 hectares in area which is the subject of a notice of requirement for a heritage or by a Heritage Protection Authority under the Resource Management Act 1991 or by the Historic Places Trust under Historic Places Act 1993;
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DATED at Whakatane this 23rd day of May 2001.


Ian McDonald
CHIEF EXECUTIVE

Schedule of Land:

Lot 2 DPS 63372 being 56.7200 hectares located adjacent to Stanley Road,
Whakatane



Whakatane District Council
COMMERCE STREET, PRIVATE BAG 1002, WHAKATANE
PHONE (07) 307-9800. FAX (07) 307-0718

TAX INVOICE

CUSTOMER

PHILLIPS FOX
PO BOX 160
AUCKLAND
1015

TAX INVOICE

PAGE 1

INVOICE No.	I 20031
DATE	22May01
DEBTOR No.	72383/4075
G.S.T. REG. No.	16-940-356
CLIENT REF.	

DETAILS**AMOUNT**

PLANNING

120.00

OVERSEAS INVESTMENT CERTIFICATE



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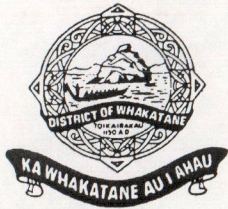
SUB TOTAL	120.00
G.S.T	15.00
TOTAL	135.00

Detach this portion and return with your payment to the address below.

**Whakatane District Council**

COMMERCE STREET
PRIVATE BAG 1002
WHAKATANE

INVOICE No.	20031
DEBTOR No.	883/4075
NAME	K PHILLIPS
AMOUNT	135.00



Whakatane District Council

PRIVATE BAG 1002, WHAKATANE 3080
TELEPHONE NO: 07-307-9800
FAX NO: 07-307-0718

18-5-01

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DATED at Whakatane this ^{21st day} 24th day of March 2000.

B F Miles
GENERAL MANAGER

Ian McDonald
C. E.

Schedule of Land:

Allotment 239 Parish of Matata being 71.9228 hectares located adjacent to State Highway 30, Whakatane.

Lot 2 OPS 63372 being 56.7200 hectares
located adjacent to ~~State Highway 30~~,
Sturges Road, Wh.



Parcel Enquiry



Query the parcel table on selected fields

Property Enquiry

Property ID: 4770/0560/000

29809

Assessment: 07161/021.01

Situation: 560 STANLEY ROAD, RURAL, WHAKATANE

Occupiers: WOODHILL PROPERTIES LTD

Improvements:

No Dwellings: 1

Area: 56.7200

Legal: LOT 2 DPS 63372 BLK X WHAKATANE SD

CT: Unit: X-lease:

Apportionment: 0 Non-Applicable

Available: RT

Major Class:

1 of 1 Parcels found.

ASSESSMENT

Quick-query

All-query

Toggle

Output

Next

Previous

First

List

Exit

People

Water Billing

Use of Land

Rates Financial

Applications

Full Legal Descr

Values

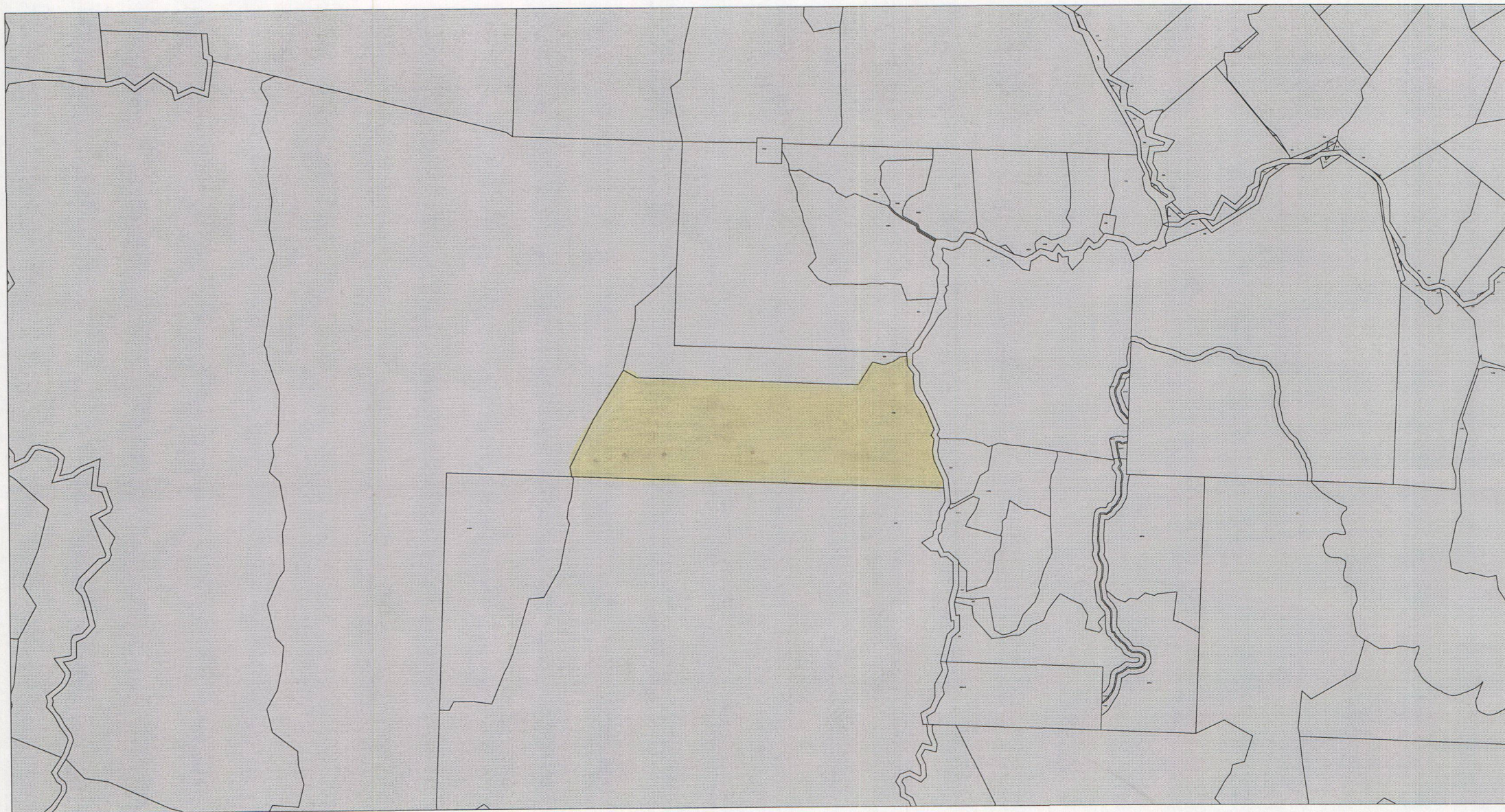
Dogs

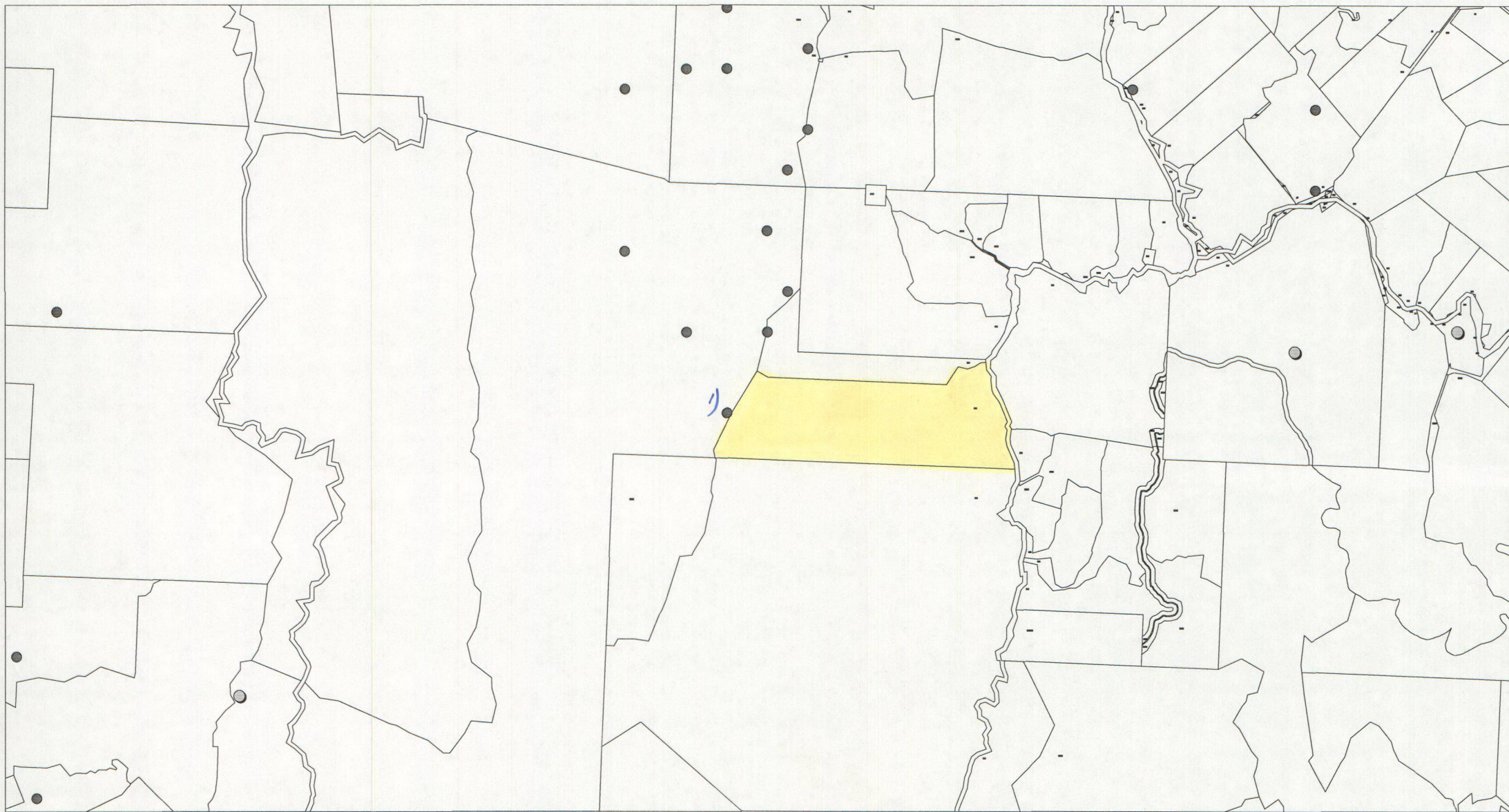
Licences

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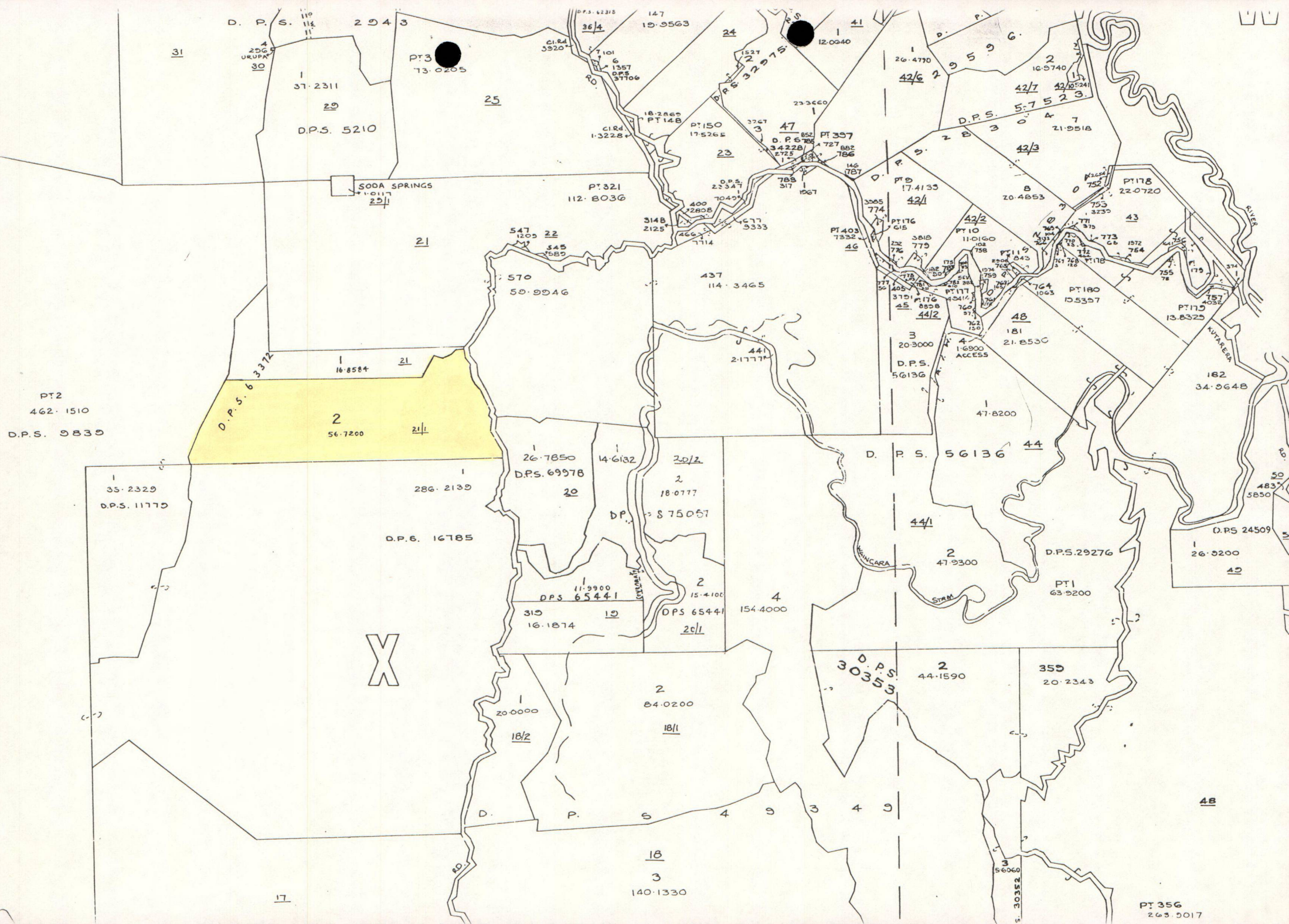
Documents

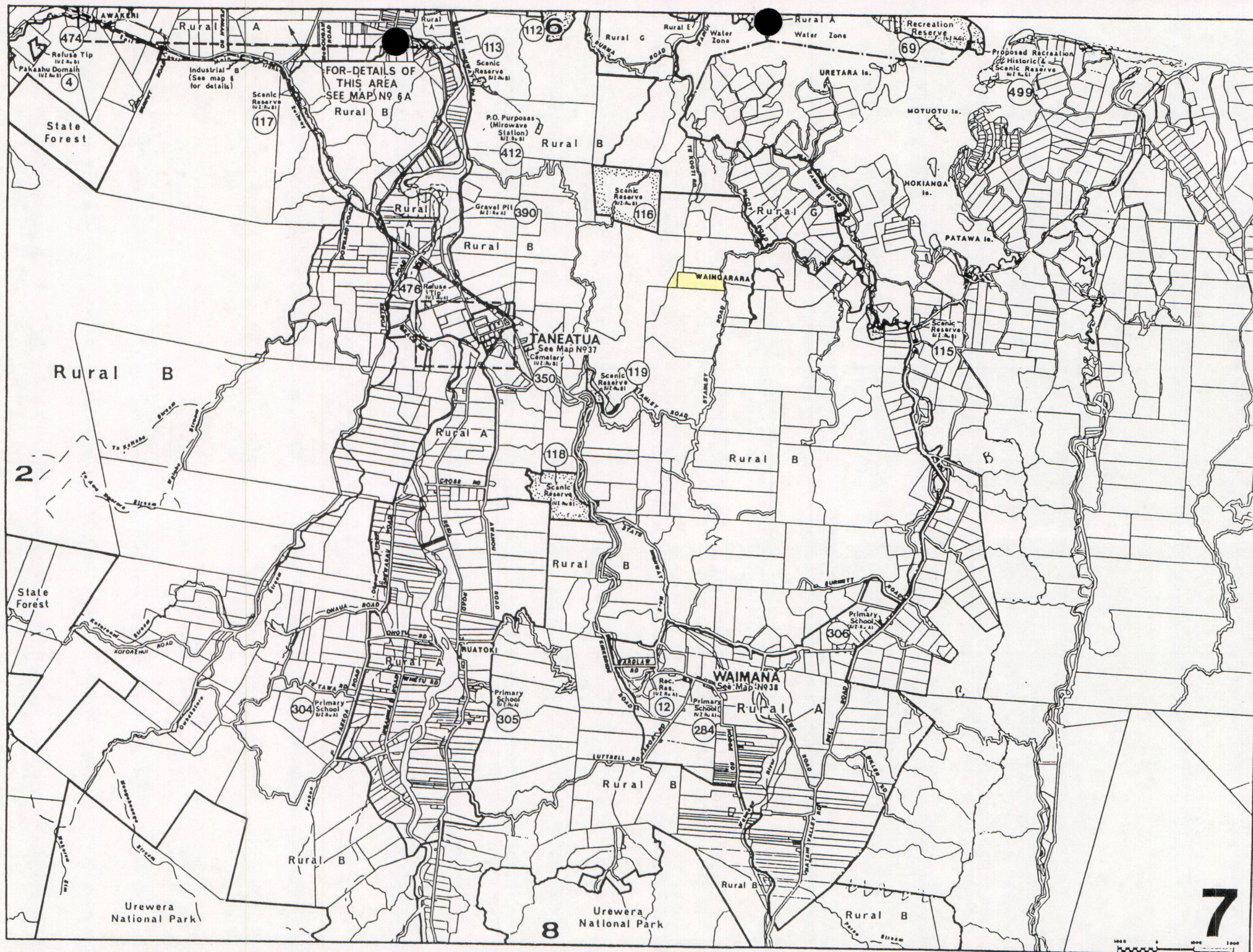
Rates Compare





1) WIS: 597 - PA





FOR-DETAILS OF
THIS AREA
SEE MAP NO 6A

TANEATUA
See Map No 37

WAIMANA
See Map No 38

8

7

RURAL B ZONE (GENERAL)

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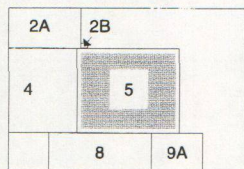
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Zones

-  Rural 1 (Plains)
-  Rural 2 (Foothills)
-  Rural 3 (Coastal)
-  Rural 4 (Settlement)

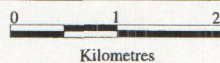
-  TLA Boundary
-  Areas not included in Proposed Rural Plan

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Map No 5

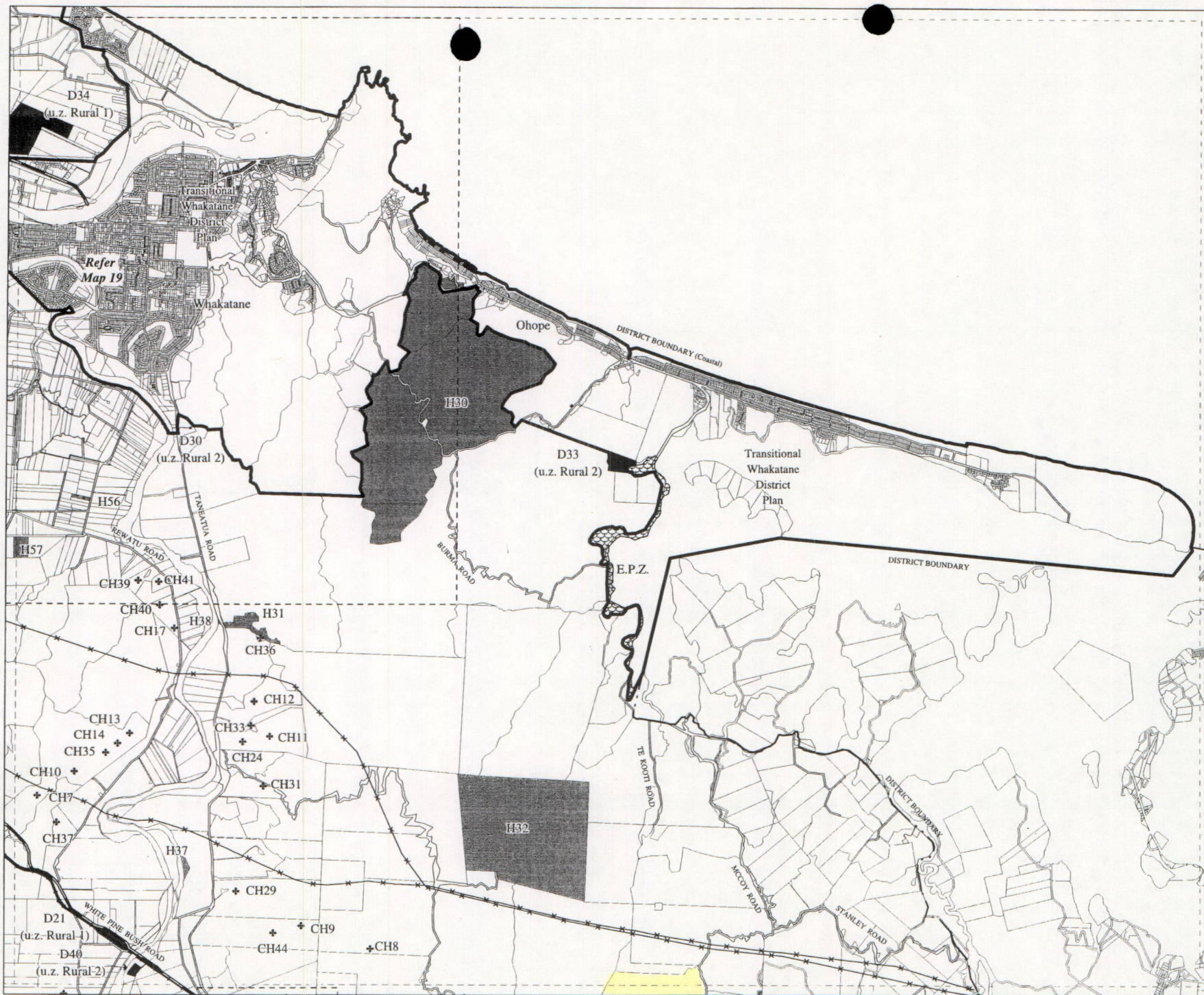
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Proposed Whakatane District Plan (Rural)

Maps produced by BECA CARTER HOLLINGS & FERNER LTD

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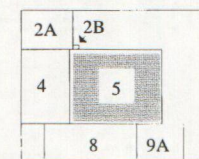


Significant Features and Designations

- Natural Heritage - Scheduled Sites (H)
- Landscape (L)
- Natural Hazard Feature (NHaz)
- Designation (D)
- Cultural Heritage (CH)
- Estuarine Protection Zone (Transitional Whakatane District Plan)
- Areas not included in Proposed Rural Plan
- ASCH Line
- Natural Gas Pipeline
- High Voltage Electrical Transmission Line
- State Highway (D27)
- Railway (D21)
- Road Widening (D28)
- TLA Boundary

All roads under the administration of the Whakatane District Council are included within designation D47.

Index Maps



Proposed Whakatane District Plan (Rural)

Maps produced by BECA CARTER HOLLINGS & FERNER LTD



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Kilometres

Scale 1:50,000

Map No 5

3.3.1 Use of Land

No person may use land in a manner which contravenes a rule in this District Plan unless the activity is:

- (a) expressly allowed by a resource consent granted by the Council; or
- (b) an existing use as defined by Section 10 or 10A of the Act.

3.3.2 Permitted Activity

A permitted activity is an activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions specified in this plan.

The conditions for permitted activities in this document are set out in the following sections. These may apply to every activity.

- (a) Activity Status Table— Rule 3.8
- (b) Land Resource and Subdivision— Rule 4.1
- (c) Financial Contributions— Rule 4.2
- (d) Built Environment— Rule 4.3
- (e) Natural Hazards— Rule 4.4
- (f) Natural Heritage— Rule 4.5
- (g) Cultural Heritage— Rule 4.6
- (h) Landscape— Rule 4.7
- (i) Works and Utilities — Rule 4.8
- (j) Hazardous Substances — Rule 4.9

The Activity Status tables concerning the protective measures in the Natural and Cultural Heritage, Landscape, Natural Hazards and Works and Utilities sections override the status of activities as listed in the Activity Table in Section 3.8. Works and Network Utility activities have been listed in a separate section for ease of reference. Where any conflict arises concerning the status of an activity, the more stringent provision shall apply.

Council may require an applicant to apply for a Certificate of Compliance to show that a proposal is able to comply with all relevant provisions. Non-compliance with a condition for a permitted activity shall change the status to a discretionary activity unless specified as a restricted discretionary activity.

3.3.3 Controlled Activities

A controlled activity is an activity which:

- (a) is provided as a controlled activity by a rule in this District Plan; and
- (b) complies with the standards and terms specified in the plan for that activity; and
- (c) is assessed according to matters the consent authority has reserved control over in the plan; and
- (d) is allowed only if a resource consent is granted by Council in respect of that activity.

If an activity does not meet the standards and terms, it will become a discretionary activity.

The controlled activities in this document are:

- (a) subdivision as provided by Rule 4.1.6.1
- (b) some temporary activities (see Rule 3.8.22)
- (c) some activities using, storing, disposing or transporting hazardous substances (see Rule 4.9.1.1)
- (d) papakainga in some zones (see Rule 3.8.9)
- (e) goat farming within 1 km of Te Urewera National Park and Whirinaki Forest Park (See Rule 4.1.18)
- (f) flood control stopbanks (see Rule 4.8.1.22)
- (g) relocation of dwellings (see Rule 3.8.7A)

The standards and terms that apply and the conditions over which Council has reserved control are listed in Rule 3.9.

Conditions may be placed on such a resource consent with reference to those matters over which Council has reserved its control.

3.3.4 Discretionary Activities

A discretionary activity is an activity:

- (a) which is provided for as a discretionary activity by a rule in this plan; and
- (b) which is allowed only if a resource consent is obtained in respect of that activity; and
- (c) which may have standards and terms specified in this District Plan; and
- (d) in respect of which Council may have limited the exercise of its discretion to matters specified in the District Plan.

The conditions listed in this plan will be used as a guide for all discretionary activities.

Section 3.10 provides guidance on the criteria that Council will have regard to when considering an application for a discretionary activity.

It is within Council's powers to grant a resource consent (with or without any condition it thinks necessary to avoid, remedy or mitigate the adverse effects of the proposal on the environment), or refuse consent.

Non compliance with conditions for permitted and controlled activities shall be considered as a discretionary activity.

If the non-compliance is limited to the following:

- (a) any building bulk and location provisions (4.3.1) and signs (4.3.1), and/or
- (b) one other standard,

Council's discretion will be restricted to those matters of non-compliance as a restricted discretionary activity.

3.3.5 Non-complying Activities

A non-complying activity is an activity which:

- (a) is provided for as a non-complying activity in the plan; and
- (b) is allowed only if a resource consent is obtained in respect of that activity.

If the application satisfies s105(2A) of the Act, it is within Council's powers, having regard to the matters in Section 104, either to grant resource consent (with or without any condition it thinks necessary to avoid, remedy, or mitigate the adverse effects of the proposal on the environment), or to refuse consent. The Council may impose conditions on the consent in accordance with S108 or 220 Resource Management Act 1991.

There are no Non-Complying Activities in this document.

3.3.6 Prohibited Activities

A Prohibited Activity is an activity which is expressly not allowed to take place under any circumstances, and would require a change to the Plan itself for such an activity to even be considered for establishment. There are no Prohibited Activities in this document.

3.3.7 Existing Uses

Activities which were lawfully established before the introduction of a rule in a plan or proposed plan requiring a resource consent for that activity enjoy existing use rights. Such activities may continue as long as their effects remain the same or similar in character, intensity and scale. Where an activity's effects in terms of character, intensity, and scale are altered, a resource consent must be obtained for the activity.

GENERAL PROVISIONS
3.8 Activity Status Table

3.8.1 Activity Status in Rural Zones

The activity table below lists the activities anticipated in the District. Activities may be one of three categories, depending on the zone in which they are located and the potential effects they may have on the environment. These three categories are described in rule 3.3.

Key P - Permitted C - Controlled D - Discretionary All activities not listed in the table are deemed to be a discretionary activity unless otherwise provided for.				
Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
RURAL ACTIVITIES				
1. Rural production	Dairying, production forestry, horticulture, orcharding, commercial vegetable growing, vineyards, woodlots	P	D – production forestry and harvesting P – other rural production,	D
	Intensive Farming	D	D	D
2. Conservation blocks		P	P	D
3. Indigenous habitat/ wetlands and wildlife management	Riparian management, weed and pest removal, re-planting and rehabilitation of indigenous vegetation	P	P	P
4. Prospecting for Mineral Deposits		P	P	P
5. Mining and Exploration and processing of minerals (excluding mining provided by Rule 4.1.3.1)	Sand-mining, gravel and pumice quarrying, geothermal drilling and investigation	D	D	D

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
RESIDENTIAL ACTIVITIES				
6. One dwelling per title	House, flat, dwelling, residential unit	P	D (unless a permitted activity under rule 4.1.1.3)	P
7. One accessory building for habitation	Dependent person's dwelling, sleep-out	P	D (unless a permitted activity under rule 4.1.1.3)	P
7A. Relocation of Dwelling		C	C	C
8. Additional dwellings for rural production (not provided by category [7])		D	D	D
9. Papakainga – • one or two dwellings only • greater than two dwellings and other buildings and activities as referred to in the definition of papakainga	Papakainga housing, kaumatua flats	P C	D (unless a permitted activity under Rule 4.1.1.3) D (unless a permitted activity under Rule 4.1.1.3)	P C
10. Home occupation	Office incidental to residential use	P	P	P

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
11. Accommodation facilities for a maximum of 5 guests at any one time	Nursing and elderly persons' homes, retirement villages. Travellers' accommodation, including hotels, motels, lodges, hostels, boarding houses, homestays/ farmstays, camping grounds	P	P	P
COMMUNITY ACTIVITIES				
12. Activities (excluding buildings and mining) on public reserves as provided for in a management plan under the Reserves Act 1977	Sportsgrounds, playing fields, camping grounds, walking tracks	P	P	P
13. Buildings on public reserves	Clubrooms, ablution buildings, swimming pools	D	D	D
14. Places of assembly (not provided by any other category) designed to have a maximum occupancy or attendance of 50 people at any one time.	Places of worship, marae, halls, restaurants, cafés, sportsgrounds, clubrooms, taverns and bars, tourist facilities (not accommodation), art galleries, conference centres, theatres, funeral directors' premises	P	P	P

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
15. Educational facilities designed to have a maximum occupancy or attendance of 50 students and full time equivalent staff at any caregiving or education session	Kohanga reo, pre-schools, child care centres, kindergartens, schools, adult education centres, training schemes, kura kaupapa Māori, whare wananga and whare tapere	P	P	P
16. Cemeteries and urupa		P	P	P
COMMERCIAL ACTIVITIES				
17. Retail activity	Shops, service stations, roadside stalls,			
• <30 m ² ground floor area		P	P	P
• >30 m ² ground floor area		D	D	D
17A Mobile sale of goods		P	P	P
17B Commercial Service	Medical and/or veterinary centres, offices, fire stations	D	D	D
17C Warehousing	Warehouses	D	D	D

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
17D Industry	Tradesmen's and engineering workshops, panelbeaters, vehicle dismantling, milling and processing of timber, offensive trades	D	D	D
SURFACE OF THE WATER				
18. Structures accessory to a recreational activity on the surface of water, with the exclusion of maimai provided that such structures do not obstruct navigation of vessels in waterways	Jetties, moorings, wharves, pontoons, ramps, ski and float plane lanes	D	D	D
19. Private recreational activities on the surface of water (excluding jetboat or personal water-craft events – see Category 23).	Canoeing, rafting, boating, kayaking (excluding jetboat or personal water-craft events)	P	P	P
20. Commercial recreational activities on the surface of the water, and associated structures.	Commercial jet-boating	D	D	D
21. Jet-boat and/or personal water-craft events.		D	D	D

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
TEMPORARY ACTIVITIES				
22. Places of assembly for a maximum of four consecutive days excluding jet-boat or personal water-craft events – see Category 21.	Festivals, carnivals, fairs, bazaars, conventions, concerts, public meetings	C	D	C
23. Building or construction projects for a period not exceeding 12 months where the activity is not provided for elsewhere in the plan or where construction effects have been consented to as part of a resource consent for the activity that is under construction.	Earthworks, stormwater control	P	P	P
24. Military training exercises for a maximum duration of 21 days.		P	P	P
25. Portable sawmill operating for a maximum period of 30 days in any 12 month period but not within a riparian margin.		P	D	D

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
SITE SPECIFIC				
27. Activities on the site of an identified natural hazard	Rangitaiki Floodway Te Rahu Ponding Basin ASCH (Area Sensitive to Coastal Hazard) line; Properties in Clem Elliott Drive, Matata	See Section 4.4		
28. Activities on sites identified as a scheduled feature	Natural Heritage Features	See Section 4.5		
	Cultural Heritage Features,	See Section 4.6		
	Outstanding Natural Features and Landscape	See Section 4.7		
29. Activities involving hazardous substances		See Section 4.9		
30. Activities involving Works and Network Utilities	Electrical lines, pipes, transformers, substations, telecommunications lines, masts and aerials, drainage, trig stations, solid waste disposal, power generation, water reservoirs, stopbanks, sewerage treatment plants, roads, rail-lines, airports, geothermal well heads, pipelines, plant and associated activities	See Section 4.8		

GENERAL PROVISIONS
3.8 Activity Status Table

Activity	Examples *	Zones		
		Rural 1 (Plains) and Rural 2 (Foothills)	Rural 3 (Coastal)	Rural 4 (Settlement)
GENERAL				
31. Signs		See Section 4.3.7		
32. Subdivision		See Section 4.1.6		
33. Accessory buildings to any permitted activity	Haybarn, milking shed, implement shed, woolbarn, stables, yards, pigsties. Garage, carport	P	D (unless a permitted activity under rule 4.1.1.3)	P
34. Demolition of buildings and structures, except those listed in Schedule 5.2 or Appendix 6.4		P	P	P
35. All other activities not included in this list		D	D	D

* The examples given in this column are not a comprehensive list. Where any conflict arises between an activity listed in this column and a definition of a term in Section 4.10 (Definitions), the definition shall apply.

9 May 2001

Whakatane District Council
Private Bag 1002
WHAKATANE

Attention: Resource Management Team

WHAKATANE DISTRICT COUNCIL	
FILE:	
REG. No.: 31546	
10 MAY 2001	
ACTIONED	DATE
1 JP	14/5
2	
3	
4	

209 Queen Street
PO Box 160
Auckland
New Zealand
Tel No +64 9 303 2019
Fax No +64 9 303 2311
DX CP24027 Akld
Email auckland@
phillipsfox.com

Application under Part III Overseas Investment Regulations 1995
Property being Block X Whakatane Survey District and being Lot 2 on Deposited
Plan S63372 CT 51B/430 - Woodhills Properties Limited
Our ref: AK706960

Adelaide Brisbane Canberra
Melbourne Perth Sydney
Auckland Wellington
Hanoi Ho Chi Minh City

Phillips Fox is certified to
ISO-9001 in all New Zealand
and Australian offices

www.phillipsfox.co.nz

We act for Fletcher Challenge Forests Industries Limited which has entered into a conditional agreement to purchase a 2 hectare block being part of the above property. It is intended that application will be made to subdivide this block from Woodhills title and to amalgamate it into our client's adjoining land.

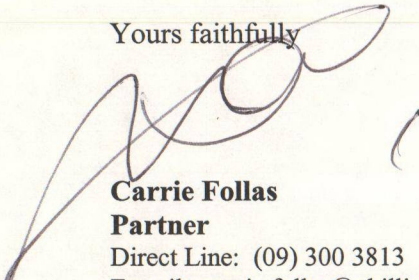
As our client is an overseas person for the purposes of the Overseas Investment Regulations, it is necessary to obtain a certificate from the local authority that the property to be acquired and **any adjoining land** is or is not provided as a reserve, a public park, for recreational purposes or as a private open space, or is proposed for any such purpose, or is subject to a heritage order, under any operative regional plan or proposed operative district plan under the Resource Management Act 1991. In addition, the land and the adjoining land is or is not, or contains any area which is, subject of a notice of requirement for a heritage order or is an historic place, an historic area, Wahi Tapu or Wahi Tapu area under the Historic Places Act 1993.

To assist you in preparing your certificate, we *attach* a copy of certificate of title 51B/430 together with a cadastral map of the area showing that part of the land in certificate of title 51B/430 to be acquired by our client, hatched black on the plan.

Please ensure that your certificate covers both the property in question that is to be acquired and the land adjoining the property.

Please do not hesitate to contact the writer if you have any queries arising from this letter. Otherwise we look forward to hearing from you as soon as possible.

Yours faithfully


Carrie Follas
Partner

Direct Line: (09) 300 3813
E-mail: carrie.follas@phillipsfox.com
Encl
F:\DOCS\MCB\WED15.DOC

References

Prior C/T 3D/405, 246/112

12A/1183

Transfer No.

N/C. Order No. B.107633.4

14 DEC 2000

COPY



Land and Deeds 69

REGISTER

No. 51B / 430

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 14th day of October one thousand nine hundred and ninety two under the seal of the District Land Registrar of the Land Registration District of SOUTH AUCKLAND

WITNESSETH that MCGOLDRICK FARMING COMPANY LIMITED

is seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 56.7200 HECTARES more or less situated in Block X Whakatane Survey District being Lot 2 on Deposited Plan S.63372



ASSISTANT LAND REGISTRAR

B.119303.1 Transfer to Charles Albert Swan of Tauranga farm worker - 22.12.1992 at 9.15 o'clock

B.119303.2 Mortgage to McGoldrick Farming Company Limited - 22.12.1992 at 8.15 o'clock

B.214257.1

for A.L.R.

B.214857.2 Transfer to Woodhills Properties Limited - 11.7.1994 at 10.30 o'clock

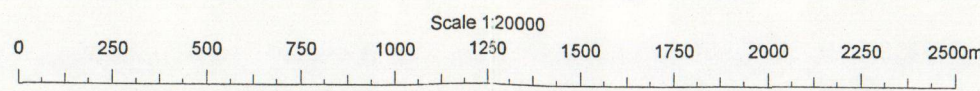
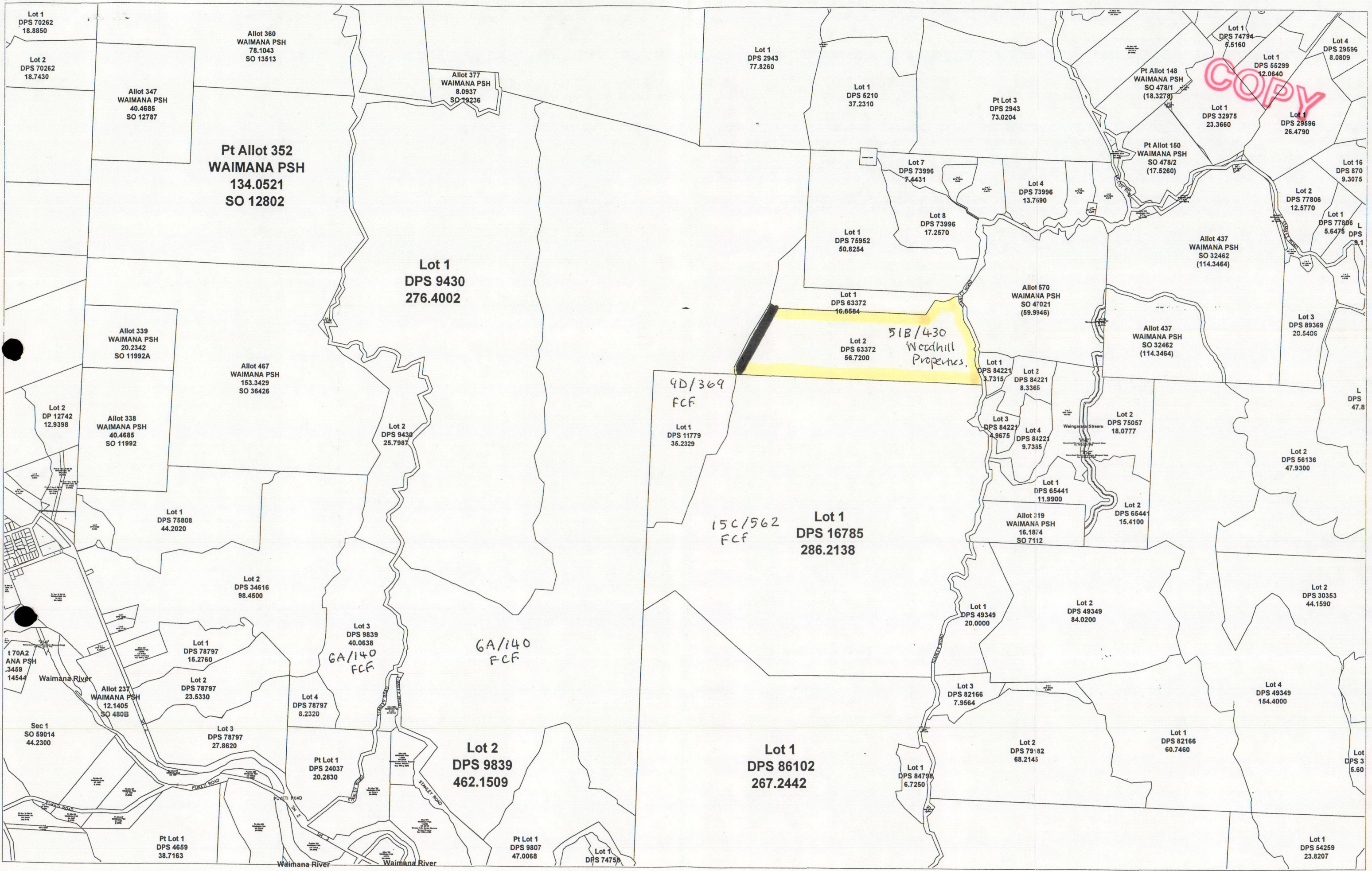
for A.L.R.

B.387404 Mortgage to Countrywide Banking Corporation Limited - 11.12.1996 at 9.01 o'clock

for A.L.R.

Measurements are Metric

No. 51B / 430



DPS 11779
Information derived from Land Information New Zealand's Digital Databases. HN DCDB Data as at 09-02-2001
LINZ does not warrant that the Data is free from errors or defects. CROWN COPYRIGHT RESERVED.

22/23/5/126

STATEMENT IN SUPPORT OF APPLICATION TO ERECT RESIDENTIAL BUILDING IN
RURAL ZONES

The General Manager
Whakatane District Council
Private Bag
WHAKATANE

Rec 28/10/82
41

Dear Sir

7161/21

THIS STATEMENT is completed in support of an application made by Richard M^cGoldrick Ford. for permission to erect a dwellinghouse at Stanley Rd. for Workman.

Full Name of Owner Richard M^cGoldrick Ford.

Address of Owner Stanley Rd. Kutareve No. 1. R.D.

Particulars of Land Lot 1 DPS 4963 Allot 324, 335, 434-437,
441, 466, 570, 677, Pt 321 Waimanga Parish, Lot 1. DPS 23347
Blk X. Whak. S.D. 336. 8172 ha.

I, J. Ford of Stanley Rd. R.D. 1. Kutareve.
(Address)

house wife
(Occupation), hereby acknowledge that the aforesaid land is zoned Rural A (~~Rural B~~) in the Whakatane District Scheme.

I acknowledge having been advised that in a Rural A (Rural B) zone a dwellinghouse is permitted only as a predominant use as a building accessory to the use of buildings or land for certain predominant uses as set out in the Code of Ordinances as shown to and explained to me. Such dwellinghouse will be constructed and used as a building accessory to use of buildings or land as follows:

to house a workman to assist
with the running of the farm
sheep + beef unit

I acknowledge having been advised that failure to construct or to use such dwellinghouse as a building accessory to use of buildings or land in terms of the said Code of Ordinances constitutes a breach of the said Code and could lead to Council seeking penalties and taking action to enforce compliance with its District Scheme, as provided in the Town and Country Planning Act, 1977.

Address for Service

Stanley Rd.
No. 1. R.D.
Kutareve.

Signed: J. Ford

Date: 26 / 10 / 82.

22/23/5/126

18 November 1982

Mr R McGoldrick Ford
Stanley Road
R D 1
WHAKATANE

Dear Sir

Dwellinghouse Application

Council at its meeting held on 15 November 1982 considered the above mentioned proposal and resolved as follows:

- "(a) THAT consent be granted to the erection of a further dwellinghouse on Allotment 335 Parish of Waimana, Block X Whakatane Survey District.
- (b) THAT the applicant be advised that he should now approach a Building Inspector with a view to obtaining an building permit."

Yours faithfully

J W Mandemaker
PLANNING OFFICER

cc: Chief Inspector

7/3/12.

22/23/4/126

DWELLINGHOUSE APPLICATION : R MCGOLDRICK FORD, STANLEY ROAD

Mr R McGoldrick Ford of Stanely Road has applied to erect a dwellinghouse for a farmworker to assist in running his sheep and beef unit, comprising of 336.0172 hectares. At present three dwellinghouse are located on the property, although they are not in close proximity to each other.

As the farm is large in area and in obvious utilisation as a sheep and beef unit, it is recommended that Council look favourably upon this application.

RECOMMENDATION:

- (a) THAT consent be granted to the erection of a further dwellinghouse on Allotment 335 Parish of Waimana, Block X Whakatane Survey District.
- (b) THAT the applicant be advised that he should now approach the Building Inspector with a view to obtaining a building permit.

Applic
CI 16/11/82.

22/23/5/1267/3/13

STATEMENT IN SUPPORT OF APPLICATION TO ERECT RESIDENTIAL BUILDING IN
RURAL ZONES

The General Manager
Whakatane District Council
Private Bag
WHAKATANE

Rec 28/10/82
41

Dear Sir

THIS STATEMENT is completed in support of an application made by Richard McGoldrick Ford for permission to erect a dwellinghouse at Stanley Rd for Workman.

Full Name of Owner Richard McGoldrick Ford

Address of Owner Stanley Rd. Kutavere No. 1 R.D

Particulars of Land Lot 1 DPS 4965 Allot 324, 335, 434-437, 441, 466, 570, 677, Pt 321 Whimiana Parish, Lot 1. DPS 23347 Blk X. Whak. S.D. .336. 0172 ha.

I, J. Y Ford of Stanley Rd. R.D. 1. Kutavere
(Address)

Housewife
(Occupation), hereby acknowledge that the aforesaid land is zoned Rural A (~~Rural B~~) in the Whakatane District Scheme.

I acknowledge having been advised that in a Rural A (Rural B) zone a dwellinghouse is permitted only as a predominant use as a building accessory to the use of buildings or land for certain predominant uses as set out in the Code of Ordinances as shown to and explained to me. Such dwellinghouse will be constructed and used as a building accessory to use of buildings or land as follows:

to house a workman to assist with the running of the farm sheep + beef unit

I acknowledge having been advised that failure to construct or to use such dwellinghouse as a building accessory to use of buildings or land in terms of the said Code of Ordinances constitutes a breach of the said Code and could lead to Council seeking penalties and taking action to enforce compliance with its District Scheme, as provided in the Town and Country Planning Act, 1977.

Address for Service

Stanley Rd.
No. 1. R.D.
Kutavere

Signed: J. Y Ford
Date: 26 / 10 / 82

22/23/5/126

18 November 1982

Mr R McGoldrick Ford
Stanley Road
R D 1
WHAKATANE

Dear Sir

Dwellinghouse Application

Council at its meeting held on 15 November 1982 considered the above mentioned proposal and resolved as follows:

- "(a) THAT consent be granted to the erection of a further dwellinghouse on Allotment 335 Parish of Waimana, Block X Whakatane Survey District.
- (b) THAT the applicant be advised that he should now approach a Building Inspector with a view to obtaining an building permit."

Yours faithfully

J W Mandemaker
PLANNING OFFICER

cc: Chief Inspector

Mr Fairbrother

T.P.O.

22/23/4/126

MEMO TO: ~~Chief Engineer~~
~~Chief Inspector~~

FROM: Planning Assistant

SUBJECT: Dwellinghouse Application
R McGoldrick Ford, Stanley Road

DATE: 1 November 1982

Please find attached a copy of the application for the above together with a map of area.

This matter will be dealt with at the earliest opportunity and you will be advised further in due course.

E. Stenton

E Stenton

No Comment
[Signature]

Enclosure:

Planning

22/23/4/126

MEMO TO: Chief ~~Engineer~~
Chief Inspector

FROM: Planning Assistant

SUBJECT: Dwellinghouse Application
R McGoldrick Ford, Stanley Road

DATE: 1 November 1982

Please find attached a copy of the application for the above together with a map of area.

This matter will be dealt with at the earliest opportunity and you will be advised further in due course.

E. Stenton

E Stenton

No objection *AS*

Enclosure:

22/23/5/126

1 November 1982

R McGoldrick Ford
Stanley Road
R D 1
WHAKATANE

Dear Sir

Dwellinghouse Application

I acknowledge receipt of your application of the 26 October 1982 seeking consent to erect a dwellinghouse on the property at Stanley Road described as Lot 1 DPS 8965 Allots 324, 325, 434-437, 441, 466, 570, 677 Pt 321 Waimana Parish Lot 1 DPS 23347 Blk X Whakatane Survey District.

This matter will be dealt with at the earliest opportunity and you will be advised further in due course.

Yours faithfully
J W Mandemaker
PLANNING OFFICER

per

E Stenton (Mrs)
PLANNING ASSISTANT

22/23/4/126

MEMO TO: Chief Engineer
Chief Inspector

FROM: Planning Assistant

SUBJECT: Dwellinghouse Application
R McGoldrick Ford, Stanley Road

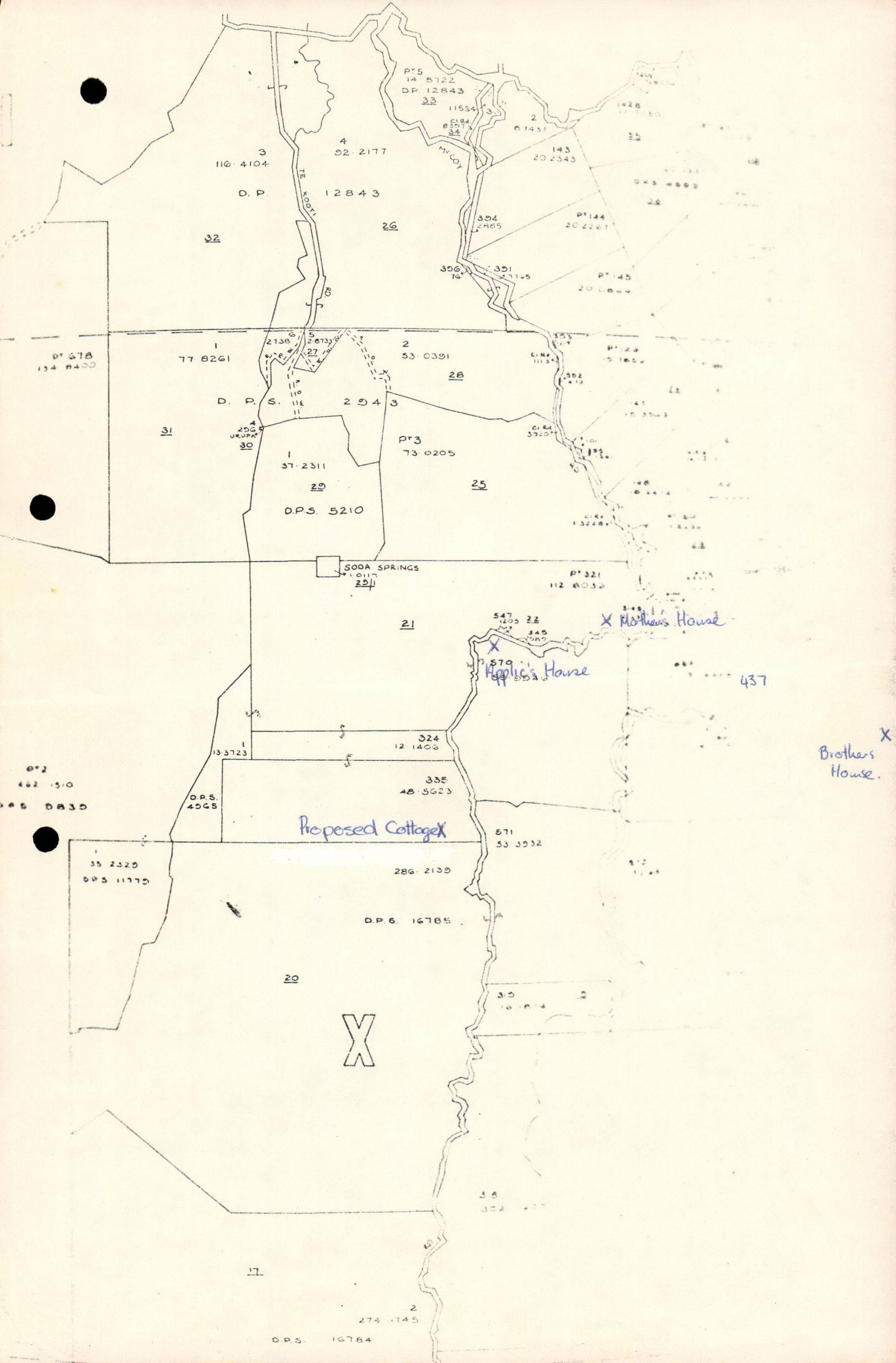
DATE: 1 November 1982

Please find attached a copy of the application for the above together with a map of area.

This matter will be dealt with at the earliest opportunity and you will be advised further in due course.

E Stenton

Enclosure:



Pt 5
14 5722
D.P. 12843
33

3
116 4104

4
92 2177

12843

D. P.

32

26

354
2485

Pt 144
20 2267

Pt 145
20 0864

Pt 678
134 8400

1
77 8261

2
53 0391

D. P. S.

2 54 3

31

256
URUPA
30

1
37 2311

Pt 3
73 0205

D.P.S. 5210

25

SODA SPRINGS
1017
294

Pt 321
112 8032

21

547
1205 22

579
54 5230

X Mother's House

X Apple's House

437

Pt 2
462 1510

Pt 2
462 1510

D.P.S.
4565

324
12 1406

335
48 5623

Proposed CottageX

571
53 3532

35 2320
D.P.S. 11775

286 2130

D.P.S. 16785

20

X

X
Brothers
House.

17

2
274 1745

D.P.S. 16784

Valuation Reference 7161 21		Computer Codes extns. 0 change 1 indic. 12100		Date of Revision 1/ 7/79	Date form printed 23/10/79
VI LV CV	Special Values 107500 97500 205000	Nature of Improvements 3 DWGS OR OT EG		Occupier (within the meaning of the Rating Act) MCGOLDRICK FARMING CO LTD	
				STANLEY RD	
				R D 1 KUTAREFE 116	
HECTARES 366.0172		Address of Property/Situation STANLEY RD		Name of District WHAKATANE DISTRICT	

The sequence of data here is: Owner (if other than Occupier), Special Rating Area information (if any), Description of Property.

LOT 1 DPS 4945 ALLOTS 324 335 434-437 441 466 570 677 PT 321 WAIMANA PSH
 LOT 1 DPS 23347 BLK X WHAKATANE SD