



Office Use Only Application Number:

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 Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council’s web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? Yes / **No**

2. Type of Consent being applied for (more than one circle can be ticked):

- Land Use
- Fast Track Land Use*
- Subdivision
- Discharge
- Extension of time (s.125)
- Change of conditions (s.127)
- Change of Consent Notice (s.221(3))
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) _____

***The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

3. Would you like to opt out of the Fast Track Process? Yes / **No**

4. Applicant Details:

Name/s: _____

Electronic Address for Service (E-mail): _____

Phone Numbers: _____

Postal Address: _____
(or alternative method of service under section 352 of the Act)

Post Code: 0483

5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: _____

Electronic Address for Service (E-mail): _____

Phone Numbers: _____ Home: _____

Postal Address: _____
(or alternative method of service under section 352 of the Act)

Post Code: _____

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

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

Name/s: Gabriel and Sean Neho

Property Address/
Location: 202C Oruru Road, Peria, 0482

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location: _____

202C Oruru Road, Peria

Legal Description: As per letter Val Number: _____

Certificate of Title: NA95D/814 & NA1008/158

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.**

8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Vary conditions to amend the proposed staging to enable Lot 6 to be created under Stage 1, and the remainder of the lot to be created under Stage 2.

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or 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) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification

Yes/**No**

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

- Building Consent (BC ref # if known) Regional Council Consent (ref # if known)
- National Environmental Standard consent Other (please specify)

11. 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 (further information in regard to this NES is available on the Council's planning web pages):

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? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). yes no don't know

- Subdividing land Changing the use of a piece of land
- Disturbing, removing or sampling soil Removing or replacing a fuel storage system

12. Assessment of Environmental Effects:

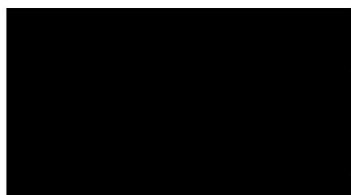
Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient 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.

Please attach your AEE to this application.

13. Billing Details:

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

Name/s: (please write all names in full)



Email:

Postal Address:

Post Code

Phone Numbers:

Work:

Home:

Fax:

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

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

Name: _____ (please print)

Signature: _____ (signature of bill payer – **mandatory**)

Date: 21/12/2023

14. 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.

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

Name:  (please print)

Signature:  (signature)

Date: 21/12/2023

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

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)
- 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.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

21 December 2023

Far North District Council
Private Bag 752
Kaikohe 0440

ref.17381.LL

To whom it may concern,

**RE: APPLICATION PURSUANT TO SECTION 127 OF THE RESOURCE MANAGEMENT ACT (1991) FOR S
NEHO (2220480-RMAVAR/A) – 202C ORURU ROAD, PERIA.**

The proposal

1. This is an application to vary the conditions of 2220480-RMAVAR/A pursuant to Section 127 of the Resource Management Act 1991 (RMA) to amend the proposed staging to enable Lot 6 to be created under Stage 1, and the remainder of the lots to be created under Stage 2. Copies of the amended scheme plan (Rev. C) and the approved resource consent decision are **attached** to this letter for your reference.
2. The proposed variations are to amend the staging of subdivision thus allowing a reconfiguration of allotments, as depicted on the revised scheme plan attached to this letter (revision C – dated 17.11.23).
3. The previous resource consent decision approved the following stages:
 - Stage 1 (Lots 1-4, 8-10); and
 - Stage 2 (Lots 5-7).
4. The new subdivision configuration will be as follows:
 - Stage 1 (Lots 6 and 100); and
 - Stage 2 (Lots 1-4, 5, 7-10).
5. For completeness, the scheme plan now shows all relevant easements to be carried through onto the survey plan submitted to Council for s223 certification.
6. As directed by s127(3)(a) of the RMA, the application will be a **discretionary activity** overall.
7. To allow for the above changes to occur, it is necessary to the following changes are proposed to the conditions of 2220480-RMAVAR/A:

Decision A – Subdivision:

Stage 1: Lots 6 and 100

1. *The subdivision shall be carried out the approved plan of subdivision prepared by Reyburn and Bryant Ltd, referenced S17381 Rev. C, dated November 2023 and attached to this consent with the Council's "Approved Stamp" affixed to it.*
2. *The revised survey plan, submitted for approval pursuant to Section 223 of the Act shall show:*
 - (a) *All easements to be duly granted or reserved.*
3. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:*
 - (a) *Secure the condition below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.*

All Lots

1. *The consent holder is advised that the development area is within an area identified by the Department of Conservation as a "kiwi resent" area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.*

Stage 2: Lots 1-4, 5, 7-10

1. *The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Reyburn and Bryant Ltd, referenced No S17381 Rev.C, dated 17.11.23 and attached to this consent with the Council's "Approved Stamp" affixed to it.*
2. *The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:*
 - (a) *All easements to be duly granted or reserved.*
 - (b) *Building platforms on each undeveloped allotment as outlined on the revised scheme plan Rev C dated 17.11.23.*
 - (c) *That the shed located along the boundary of Lot 8 and Lot 5 is wholly contained within the boundaries of Lot 8.*
 - (d) *The consent holder shall submit plans & details of the following works for the approval of Council's Resource Consents Manager, or designate, prior to commencing construction. Such works shall be designed in accordance with the Council's current Engineering Standards and NZS4404:2004.*

In particular the plans and details shall show:

- I. The crossing details to right of way easements A, B and D.*
 - II. The improvements required within the road reserve to achieve a sight distance of 115 metres in a southerly direction from the new crossing.*
 - III. Any stability measures to be constructed within the road reserve to achieve the long-term stability of the roadside batter following cutting in accordance with the recommendations of the Geotechnical Report to be provided (refer Condition 2(b) below).*
 - IV. The formation of rights of way D to I with drainage measures and as per the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.*
 - V. Details of sealing (if any) for the crossing and formation of right of way D where gradients do not meet Appendix 3B-1 standards.*
 - VI. Provision for a heavy vehicle tracking curve at the right angle turn between rights of way E and F.*
 - VII. Provision for turning at right of way I.*
 - VIII. The upgrading of the existing formation within right of way A in accordance with appendix 3B-1 of the Far North Operative Plan for 2 H.E in the Coastal Living Zone.*
 - IX. Earthworks and proposed erosion and sediment control measures required to undertake the development of the site.*
- (b) Provide a report from a Chartered Professional Engineer experienced in geotechnical matters on the proposed works within the road reserve to improve sight distances to the south of the new crossing to rights of way B and D, and detailing any measures required to ensure the long-term stability of the batter following the earthworks.*
- (c) Provide evidence of resource consent (if required) from the Northland Regional Council for the required works for the subdivision that may breach Northland Regional Plan and National Environmental Standard for Freshwater Management regulations.*
- (d) Provide for Council's approval a preferred name and two alternatives for the private way. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the area.*
- 3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:*

(a) Following receipt of the approved plans the Consent Holder shall ensure that the following works are constructed in accordance with the Council's Engineering Standards and Guidelines 2004 and the approved plans to the final inspection by the Council's Resource Consents Engineer or designate:

- I. Prior to any earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD 05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.*
- II. Prior to any works commencing within the road corridor provide evidence that a Traffic Management Plan (TMP) has been approved by Council's Corridor Access Engineer and a Corridor Access Request (CAR) obtained for the vehicle crossing upgrade and any batter cutting or vegetation removal associated with improving sight distances.*
- III. Upgrade the existing crossing to rights of way A, B and D to a formed and sealed (or concreted) double width entrance farm access crossing which complies with the Council's Engineering Standard FNDC/S/6, 6B, 6D and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. Seal (or concrete) the entrance plus splays for a minimum distance of 5m from the existing seal edge plus allow for any sealing as required under Condition 3(a)(v).*
- IV. Carry out sight distance improvement works on Oruru Road so that the sight distance to the south from the new crossing is 115m in accordance with the Council's Engineering Standards. The recommendations of the geotechnical report being provided as a condition of consent (refer Condition 3(b)) shall be adhered to in regard to any cutting of the roadside batter and any stabilisation measures required following the same.*
- V. Upgrade the existing formed and metalled access on ROW easement A, to a 3m finished metalled carriageway width. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.*
- VI. Provide a formed and metalled access on ROW easements D and E to a 5m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 5-8 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021. Provision must be made for a heavy vehicle as required by Condition 3(a)(vi).*

VII. Provide a formed and metalled access on ROW easements F, G and H to a 3m finished metalled carriageway width with passing bays in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 3-4 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vi).

VIII. Provide a formed and metalled access on ROW easement I to a 3m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 2 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vii)

IX. Provide evidence to council Resource Consent Monitoring Officer or designate that the cost of purchasing and installing a road name sign for the private way has been paid to Council's contractor. Northern Area – Fulton Hogan (09) 408 6440.

X. Provide to Council written confirmation from a licensed cadastral surveyor that the access carriageways are fully contained within the easements provided.

(b) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

Lots 1-4, 5, 7, 8- 10 (only applicable to the vacant lots)

I. At the time of building on the lot, provide a formed and metalled entrance crossing from the right of way to the lot, which complies with the Councils Engineering Standard FNDC/S/6 (with the exception of the sight distance requirements) and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. The construction of the crossing to this standard is required to ensure that the integrity of the right of way drainage system is maintained.

II. At the time of lodging an application for building consent on the lot the building applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, sets out the specific design of the building's foundations and any associated earthworks. The "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480 may be used as a reference to the geological conditions on site.

III. At the time of lodging an application for building consent for any building on the lot, which requires a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report may reference the "Subdivision Report" from Core Engineering Solutions, Job No. 21- 0192 and dated 1 November 2021 which was submitted with the application for RC220480. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan & Northland Regional Plan (Appeals) Permitted Activity Standards.

IV. In conjunction with the construction of any building on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 2% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer, or IQP, and be submitted with the Building Consent application.

V. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

VI. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

VII. The owners of the lots are required to limit all building development to the building envelopes identified on the revised scheme plan.

Lot 8

VIII. In conjunction with the construction of any additional buildings on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed in accordance with the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer or IQP and be submitted with the Building Consent application.

Lot 10

IX. Any building consent application shall be accompanied by a landscaping plan from a suitably qualified and experienced Landscape Architect as well as a schedule of recessive colours and materials (or natural materials), for the approval of the Council's Resource Consents Monitoring Officer, which indicates the means to lessen the visual impact of the building, its access and any earthworks. On approval of this plan, the landscaping specified is to be provided within six months and adequately maintained thereafter. Plants requiring removal due to damage, disease or other cause shall be replaced with a similar specimen before the end of the next following planting season (1st May to 30th September). Such planting shall be maintained for the duration of the consent.

All Lots

X. The consent holder is advised that the development area is within an area identified by the Department of Conservation as a "kiwi present" area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.

Decision B – Land use:

1. There are no ongoing conditions associated with the land use breach resulting from the proposed subdivision.

Decision C – Cancellation of Easement:

Proposed cancellation of conditional easements

Pursuant to section 243(e) of the RMA 1991: The conditions as to the creation of right of way marked A, B & C on DP 159520, over Lot 1 DP 159520 (RT NA95D/814) and appurtenant to Lot 1 DP 36879 (RT

NA1008/158) and created by C7891591.1 is to be cancelled. Reason: Lot 1 DP 36879 is being superseded by Lots 5-7 of this plan and these lots will be gaining access from elsewhere.

The right to convey water, telecommunications, & power marked J on stage 1 over Lot 6 stage 1 and appurtenant to Lot 100 stage 1 is to be cancelled and re-proposed for Lot 8. Reason: Lot 100 stage 1 is being superseded by lots 1-4, 9 & 10 of this plan and these lots will be gaining access to these services elsewhere.

Proposed part-cancellation of conditional easements

Pursuant to section 243(e) of the RMA 1991, it is proposed to cancel the conditions as to the creation of the right of way marked on B on DP 159520 over Lot 1 DP 159520 (RT NA95D/813) created by C594612.3 is to be cancelled as it relates to lots 1-4, 9 & 10 hereon. Reason: Lots 1-4 & 8-10 are to use an alternative access.

Decision D – Consent Time Frame

1. Pursuant to section 125(1) of the Resource Management Act, Stage 1 – Decision A Subdivision shall lapse if not given effect to within 5 years of the decision date and Stage 2: Decision A: Subdivision shall lapse if not given effect to within 7 years of the decision date.

Assessment of environmental effects

8. Relative to the status quo provided by the existing consent, the environmental effects of the proposed variation are assessed to be less than minor. Specifically, this application simply proposes to reconfigure the proposed staging of the subdivision, noting that no changes to the approved lot boundaries are proposed.

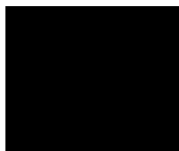
Operative and proposed FNDP objectives and policies assessment

9. As the proposed changes do not result in any changes to the boundaries of the proposed lots, the proposal remains consistent with the relevant objectives and policies of both the operative and proposed FNDP. There will be no difference in the outcomes reached during the planning assessment undertaken as part of 2220480-RMAVAR/A.

Summary

10. If you have any questions in relation to this application, please do not hesitate to contact me.

Yours Faithfully



Louis Le Grange
Planner

Enclosed

- 1) 2220480-RMAVAR/A decision
- 2) Amended Scheme Plan (ref – S17381, dated 17 November 2023, Revision C)
- 3) Records of titles



- CAUTION:**
1. THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
 2. AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 3. THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN.
 4. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
 5. DO NOT SCALE OFF DRAWINGS.
 6. THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
 7. DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND.
 8. 04m 2014-2016 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 9. BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

OVERALL	-	PAGE 01 OF 04
STAGE 1	-	PAGE 02 OF 04
STAGE 2	-	PAGE 03 OF 04
STAGE 2 EASEMENTS	-	PAGE 04 OF 04

TOTAL AREA: 5.9866 Ha
 COMPRISED IN: RT NA1008/158 & NA95D/814
 THIS SITE IS ZONED 'COASTAL LIVING' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.

C	17.11.23	STAGING & LOT6/5 BOUNDARY AMENDMENTS - RS/CC
B	27.01.23	EASEMENT AMENDMENTS - LL/CC
A	23.12.22	FIRST ISSUE - RS/TM
REV	DATE	DESCRIPTION

REF. DATA:



Ph: 09 438 3563 PO Box 191, Whangarei 0140
 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 OVERALL
**PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520**

DATE	NOV. 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	1/4 Rev. C



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PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(A)	LOT 100 HEREON	LOT 6 HEREON
	(B)		LOT 1 DP 159520
RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 100 HEREON	LOT 6 HEREON
	(J)	LOT 6 HEREON	LOT 100 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 100 HEREON	TOP ENERGY Ltd
RIGHT TO CONVEY TELECOM.			CHORUS Ltd

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 100 HEREON	#C594612.3
	A & C		#7891591.1

TOTAL AREA: 5.9866 Ha
 COMPRISED IN: RT NA1008/158 & NA95D/814
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REV	DATE	DESCRIPTION
C	17.11.23	STAGING & LOT 6/5 BOUNDARY AMENDMENTS - RS/CC
B	27.01.23	EASEMENT AMENDMENTS - LL/CC
A	23.12.22	FIRST ISSUE - RS/TM

REF. DATA:

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 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 1
**PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520**

DATE	NOV. 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	2/4 Rev. C

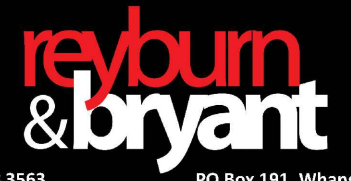


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CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 2
PROPOSED SUBDIVISION OF LOT 100 STAGE 1

DATE	NOV. 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	3/4 Rev. C

**PROPOSED CANCELLATION OF
CONDITIONAL EASEMENTS**

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE FAR NORTH DISTRICT COUNCIL IS TO CANCEL THE CONDITIONS AS TO THE CREATION OF:

THE RIGHT OF WAY MARKED 'A', 'B' & 'C' ON DP 159520, OVER LOT 1 DP 159520 (RT: NA95D/813) & LOT 2 DP 159520 (RT: NA95D/814) AND APPURTENANT TO LOT 1 DP 36879 (RT: NA1008/158) AND CREATED BY #7891591.1; IS TO BE REVOKED

REASON: LOT 1 DP 36879 IS BEING SUPERCEDED BY LOTS 5 - 7 OF THIS PLAN AND THESE LOTS WILL BE GAINING ACCESS FROM ELSEWHERE.

THE RIGHT TO CONVEY WATER, TELECOMMUNICATIONS & POWER MARKED 'J' ON STAGE 1, OVER LOT 6 STAGE 1 AND APPURTENANT TO LOT 100 STAGE 1; IS TO BE REVOKED AND RE-PROPOSED FOR LOT 8.

REASON: LOT 100 STAGE 1 IS BEING SUPERCEDED BY LOTS 1 - 4, 9 & 10 OF THIS PLAN AND THESE LOTS WILL BE GAINING ACCESS TO THESE SERVICES ELSEWHERE.

**PROPOSED PART-CANCELLATION OF
CONDITIONAL EASEMENTS**

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE FAR NORTH DISTRICT COUNCIL IS TO CANCEL THE CONDITIONS AS TO THE CREATION OF:

THE RIGHT OF WAY MARKED 'B' ON DP 159520, OVER LOT 1 DP 159520 (RT: NA95D/813), CREATED BY #C594612.3; IS TO BE CANCELLED AS IT RELATES TO LOTS 1 - 4, 9 & 10 HEREON.

REASON: LOTS 1 - 4 & 8 - 10 ARE TO USE AN ALTERNATE ACCESS.

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(A)	LOT 10 HEREON	LOT 8 HEREON
	(B)	LOT 10 HEREON	LOT 8 HEREON & LOT 1 DP 159520
	(D)	LOT 10 HEREON	LOTS 1 - 7 & 9 HEREON
	(E)	LOT 9 HEREON	LOTS 1 - 7 HEREON
	(F)	LOT 1 HEREON	LOTS 2 - 7 HEREON
	(G)	LOT 2 HEREON	LOTS 3 - 7 HEREON
	(H)	LOT 3 HEREON	LOT 4 - 7 HEREON
	(I)	LOT 4 HEREON	LOTS 6 & 7 HEREON
	RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 8 HEREON
(J)		LOT 6 HEREON	LOT 8 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 8 HEREON	TOP ENERGY Ltd
	(E)	LOT 9 HEREON	
	(D)	LOT 10 HEREON	
RIGHT TO CONVEY TELECOM.	(F)	LOT 1 HEREON	CHORUS Ltd
	(G)	LOT 2 HEREON	
	(H)	LOT 3 HEREON	
	(I)	LOT 4 HEREON	
	(I)	LOT 4 HEREON	

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 10 HEREON	LOT 1 DP 159520 #C594612.3

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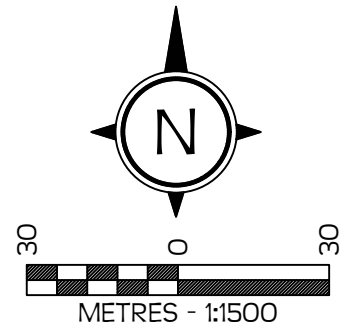
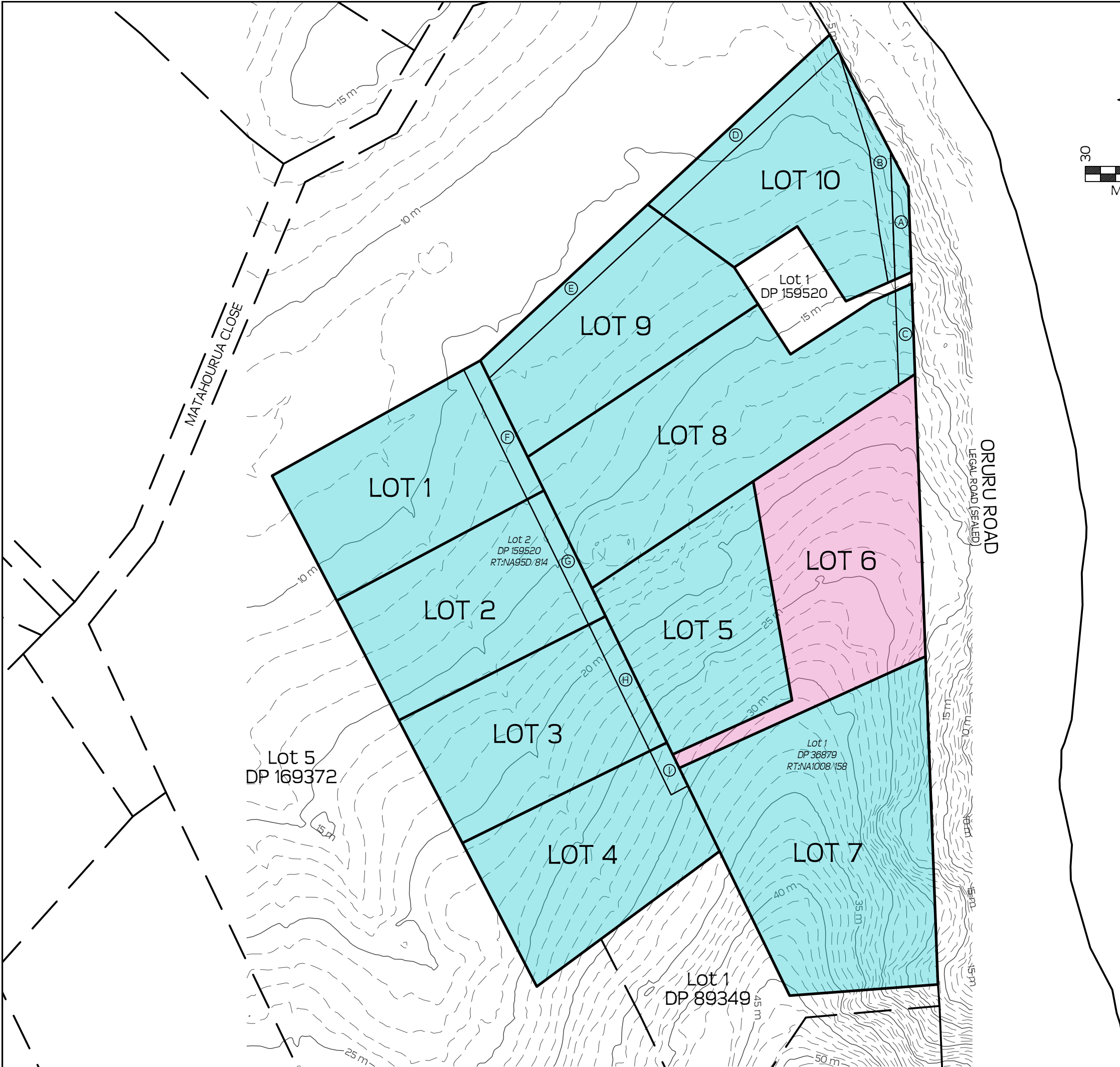


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CLIENT
SEAN NEHO
202B ORURU ROAD, TAIPA

TITLE
STAGE 2 EASEMENT SCHEDULE
PROPOSED SUBDIVISION OF
LOT 100 STAGE 1

DATE	NOV. 2023	SCALE	NOT TO SCALE
NO.	S17381	SHEET	4/4 Rev. C



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OVERALL	-	PAGE 01 OF 04
STAGE 1	-	PAGE 02 OF 04
STAGE 2	-	PAGE 03 OF 04
STAGE 2 EASEMENTS	-	PAGE 04 OF 04

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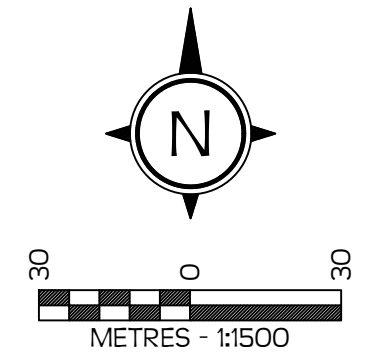
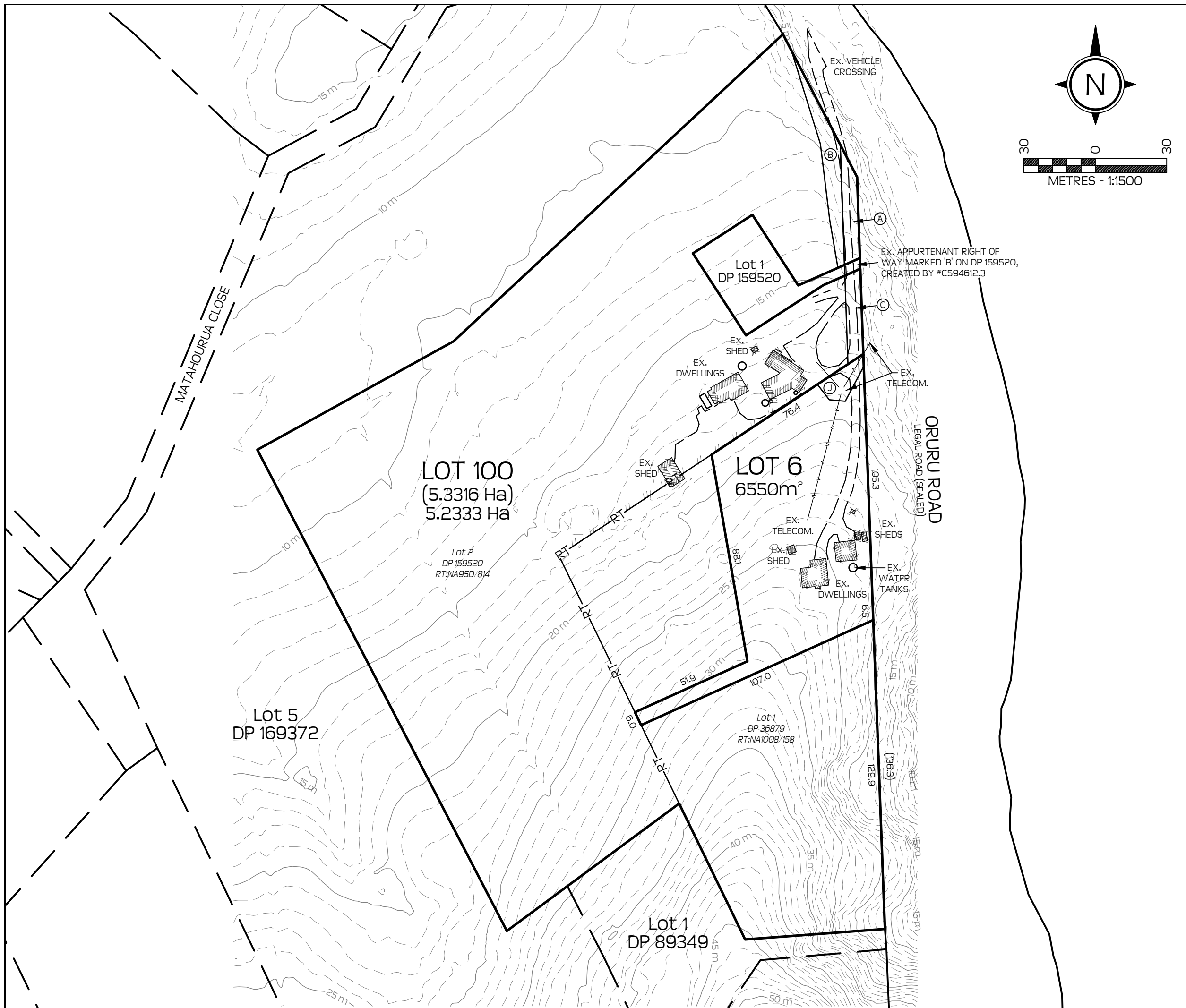


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CLIENT
SEAN NEHO
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TITLE
 OVERALL
**PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520**

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PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(A)	LOT 100 HEREON	LOT 6 HEREON
	(B)		LOT 1 DP 159520
RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 100 HEREON	LOT 6 HEREON
	(J)	LOT 6 HEREON	LOT 100 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 100 HEREON	TOP ENERGY Ltd
RIGHT TO CONVEY TELECOM.			CHORUS Ltd

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 100 HEREON	#C594612.3
	A & C		#7891591.1

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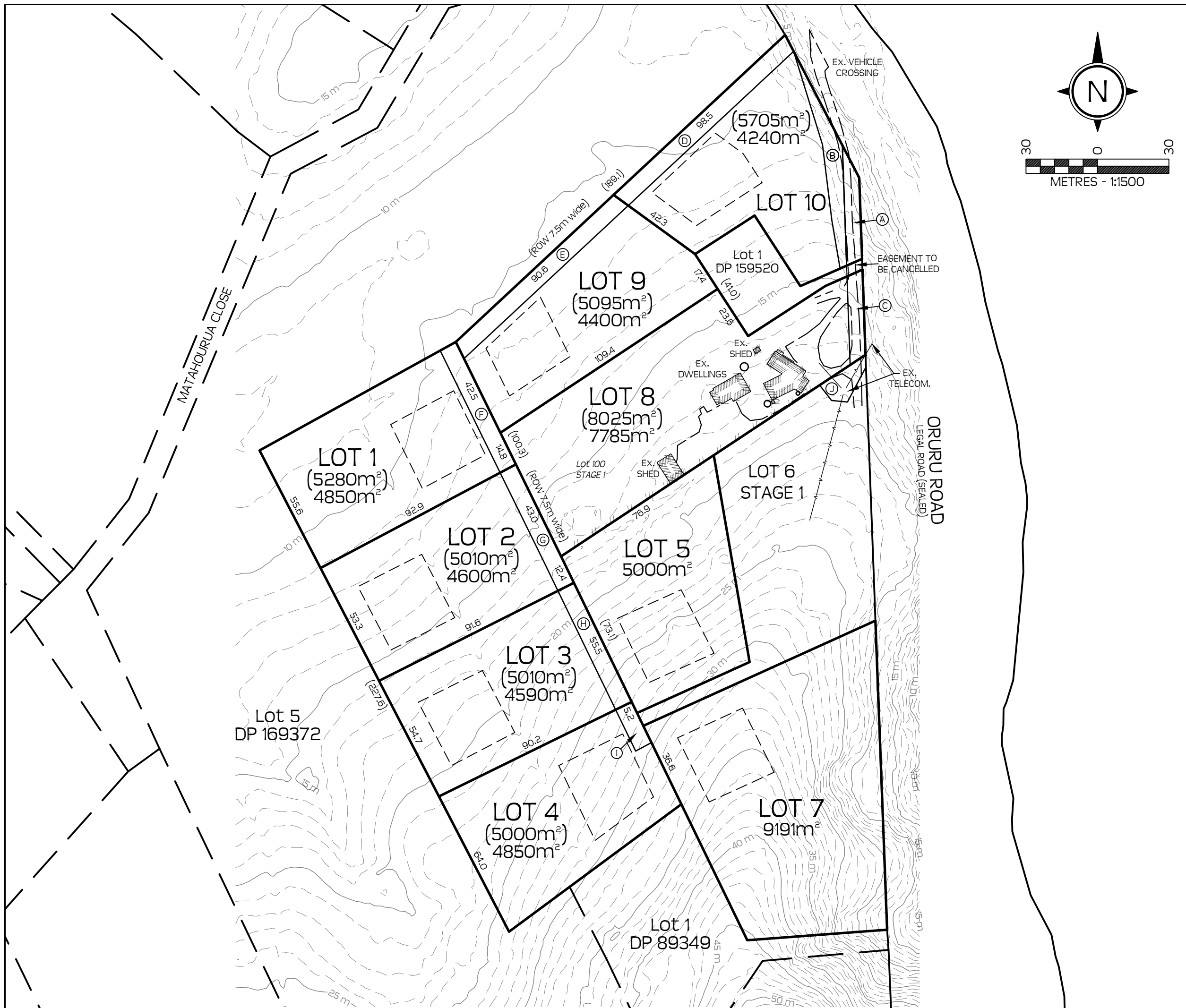


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CLIENT
SEAN NEHO
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TITLE
 STAGE 1
**PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520**

DATE	NOV. 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	2/4 Rev. C



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CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
STAGE 2
PROPOSED SUBDIVISION OF
LOT 100 STAGE 1

DATE	NOV. 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	3/4 Rev. C

**PROPOSED CANCELLATION OF
CONDITIONAL EASEMENTS**

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REASON: LOT 1 DP 36879 IS BEING SUPERCEDED BY LOTS 5 - 7 OF THIS PLAN AND THESE LOTS WILL BE GAINING ACCESS FROM ELSEWHERE.

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	(E)	LOT 9 HEREON	LOTS 1 - 7 HEREON
	(F)	LOT 1 HEREON	LOTS 2 - 7 HEREON
	(G)	LOT 2 HEREON	LOTS 3 - 7 HEREON
	(H)	LOT 3 HEREON	LOT 4 - 7 HEREON
	(I)	LOT 4 HEREON	LOTS 6 & 7 HEREON
	RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 8 HEREON
(J)		LOT 6 HEREON	LOT 8 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 8 HEREON	TOP ENERGY Ltd
	(E)	LOT 9 HEREON	
	(D)	LOT 10 HEREON	
RIGHT TO CONVEY TELECOM.	(F)	LOT 1 HEREON	CHORUS Ltd
	(G)	LOT 2 HEREON	
	(H)	LOT 3 HEREON	
	(I)	LOT 4 HEREON	
	(I)	LOT 4 HEREON	

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 10 HEREON	LOT 1 DP 159520 #C594612.3

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CLIENT
SEAN NEHO
202B ORURU ROAD, TAIPA

TITLE
STAGE 2 EASEMENT SCHEDULE
PROPOSED SUBDIVISION OF
LOT 100 STAGE 1

DATE	NOV. 2023	SCALE	NOT TO SCALE
NO.	S17381	SHEET	4/4 Rev. C

**DECISION ON SECTION 127 APPLICATION
UNDER THE RESOURCE MANAGEMENT ACT 1991**

Decision

Pursuant to section 34(1) and sections 104, 104B, 127 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** resource consent to change and cancel conditions of resource consent 2220480-RMACOM to:

Council Reference:	2220480-RMAVAR/A
Applicant:	Sean Daniel Neho
Property Address:	202C Oruru Road, Peria 0482
Legal Description:	LOT 1 DP 36879 BLK VIII MANGONUI SD
Description of Application:	Variation to conditions of RC 2220480-RMACOM for the purpose of alternating the subdivision stages and the RoW easement of Lot 6 as a discretionary activity and cancellation of a RoW easement under section 243e of the Resource Management Act.

The following changes and/or cancellations to the conditions of resource consent 2220480-RMACOM are made:

(~~Strikethrough~~ indicates deletions and underline indicates additions and changes)

For clarity a complete set of conditions, as amended, are provided in Schedule 1 to this decision.

Decision A – Subdivision:

Stage 1: ~~Lots 1-7 & 12~~ Lots 1-4, 8-10

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by ~~Sapphire Surveyors Ltd~~ Reyburn and Bryant Ltd, referenced ~~Lots 1-7 and 12~~ Lots 1-4, 8-10 being a proposed subdivision of Lot 2 DP 159520 & Lot 1 DP 36879 (STAGE 1) 202b Oruru Road, Taipa, reference ~~0045S No S17381 Rev.B~~, dated ~~42/07/2022~~ 27.01.23 and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements to be duly granted or reserved.
 - (b) Building platforms on each undeveloped allotment as outlined on the approved revised scheme plan Rev.B dated 27.01.23.

- (c) That the shed located along the boundary of Lot 8 and Lot 5 is wholly contained within the boundaries of Lot 8.
3. Prior to the approved of the survey plan pursuant to Section 223 of the Act, the consent holder shall:

- (a) The consent holder shall submit plans & details of the following works for the approval of Council's Resource Consents Manager, or designate, prior to commencing construction. Such works shall be designed in accordance with the Council's current Engineering Standards and NZS4404:2004.

In particular the plans and details shall show:

- I. The crossing details to right of way easements ~~E, A, and B.~~ A, B and D.
 - II. The improvements required within the road reserve to achieve a sight distance of 115 metres in a southerly direction from the new crossing.
 - III. Any stability measures to be constructed within the road reserve to achieve the long-term stability of the roadside batter following cutting in accordance with the recommendations of the Geotechnical Report to be provided (refer Condition 3(b) below).
 - IV. The formation of rights of way ~~E to I~~ D to I with drainage measures and as per the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.
 - V. Details of sealing (if any) for the crossing and formation of right of way ~~E~~ D where gradients do not meet Appendix 3B-1.
 - VI. Provision for a heavy vehicle tracking curve at the right angle turn between rights of way E and F.
 - VII. Provision for turning at right of way I.
 - VIII. The upgrading of the existing formation within rights of way A, B & C to Council Standards in accordance with appendix 3B-1 of the Far North Operative Plan for 2 H.E in the Coastal Living Zone.
 - IX. Earthworks and proposed erosion and sediment control measures required to undertake the development of the site.
- (b) Provide a report from a Chartered Professional Engineer experienced in geotechnical matters on the proposed works within the road reserve to improve sight distances to the south of the new crossing to rights of way ~~E & B~~ B and D, and detailing any measures required to ensure the long-term stability of the batter following the earthworks.
- (c) Provide evidence of resource consent (if required) from the Northland Regional Council for the required works for the subdivision that may breach Northland Regional Plan and National Environmental Standard for Freshwater Management regulations.
- (d) Provide for Council's approval a preferred name and two alternatives for the private way. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the area.

4. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:

(a) Following receipt of the approved plans the Consent Holder shall ensure that the following works are constructed in accordance with the Council's Engineering Standards and Guidelines 2004 and the approved plans to the final inspection by the Council's Resource Consents Engineer or designate :-

- I. Prior to any earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD 05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
- II. Prior to any works commencing within the road corridor provide evidence that a Traffic Management Plan (TMP) has been approved by Council's Corridor Access Engineer and a Corridor Access Request (CAR) obtained for the vehicle crossing upgrade and any batter cutting or vegetation removal associated with improving sight distances.
- III. Upgrade the existing crossing to rights of way A, B and ~~E~~ D to a formed and sealed (or concreted) double width entrance and access crossing which complies with the Council's Engineering Standard FNDC/S/6, 6B, 6D and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. Seal (or concrete) the entrance plus splays for a minimum distance of 5m from the existing seal edge plus allow for any sealing as required under Condition 3(a)(v).
- IV. Carry out sight distance improvement works on Oruru Road so that the sight distance to the south from the new crossing is 115m in accordance with the Council's Engineering Standards. The recommendations of the geotechnical report being provided as a condition of consent (refer Condition 3(b)) shall be adhered to in regard to any cutting of the roadside batter and any stabilisation measures required following the same.
- V. Upgrade the existing formed and metalled access on ROW easements A to a 3m finished metalled carriageway width. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.
- VI. Provide a formed and metalled access on ROW easements ~~E and F~~ D and E to a 5m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 5-8 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.

The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vi)

- VII. Provide a formed and metalled access on ROW easements ~~G & H~~ F, G and H to a 3m finished metalled carriageway width with passing bays ~~provided to comply with Rule 15.1.6.1.2 of the Far North District Plan~~ in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 3-4 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vi).

- VIII. Provide a formed and metalled access on ROW easement I to a 3m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 2 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vii)

- IX. Provide evidence to council Resource Consent Monitoring Officer or designate that the cost of purchasing and installing a road name sign for the private way has been paid to Council's contractor. Northern Area – Fulton Hogan (09) 408 6440.
- X. Provide to Council written confirmation from a licensed cadastral surveyor that the access carriageways are fully contained within the easements provided.

- (b) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

Lots 1-5 & Lot 7- Lots 1-4, 9 & 10

- I. At the time of building on the lot, provide a formed and metalled entrance crossing from the right of way to the lot, which complies with the Councils Engineering Standard FNDC/S/6 (with the exception of the sight distance requirements) and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. The construction of the crossing to this standard is required to ensure that the integrity of the right of way drainage system is maintained.
- II. At the time of lodging an application for building consent on the lot the building applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, sets out the specific design of the building's foundations and any associated earthworks. The "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480 may be used as a reference to the geological conditions on site.
- III. At the time of lodging an application for building consent for any building on the lot, which requires a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report may reference the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan & Northland Regional Plan (Appeals) Permitted Activity Standards.
- IV. In conjunction with the construction of any building on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 2% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer, or IQP, and be submitted with the Building Consent application.
- V. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- VI. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for

providing both power supply and telecommunication services will remain the responsibility of the property owner.

- VII. The owners of the lots are required to limit all building development to the building envelopes identified on the approved scheme plan.

Lot 8

- VIII. In conjunction with the construction of any additional buildings on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed in accordance with the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The details of the on site retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer or IQP and be submitted with the Building Consent application.

Lot 10

- IX. Any building consent application shall be accompanied by a landscaping plan from a suitably-qualified and experienced Landscape Architect as well as a schedule of recessive colours and materials (or natural materials), for the approval of the Council's Resource Consents Monitoring Officer, which indicates the means to lessen the visual impact of the building, its access and any earthworks. On approval of this plan, the landscaping specified is to be provided within six months and adequately maintained thereafter. Plants requiring removal due to damage, disease or other cause shall be replaced with a similar specimen before the end of the next following planting season (1st May to 30th September). Such planting shall be maintained for the duration of the consent.

All Lots

- X. The consent holder is advised that the development area is within an area identified by the Department of Conservation as a "kiwi present" area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.

Stage 2: Lots 8-11-Lots 5-7

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by ~~Sapphire Surveyors Ltd~~ Reyburn and Bryant Ltd, referenced ~~Lots 8-11~~ Lots 5-7 being a proposed subdivision of ~~Lot 12 DP *****~~ (STAGE 2) Lot 2 DP 159520 and Lot 1 DP 36979 (stage 2) 202b Oruru Road, Taipa, reference ~~0045S No S17381 Rev.B, dated 12/07/2022-27.01.23~~ and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The revised survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements to be duly granted or reserved.

(b) Building platforms on each undeveloped allotment as outlined on the approved revised scheme plan Rev.B dated 27.01.23.

~~(c) The endorsement of the following conditional amalgamation, pursuant to Section 220(1)(b)(iii) of the Resource Management Act 1991:~~

~~“That Lot 8 hereon and Lot 11 hereon be held in the same Record of Title”
[Refer Request 1770992]~~

3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:

(a) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the Applicant.

Lots 5 & 7

- I. At the time of building on the lot, provide a formed and metalled entrance crossing from the right of way to the lot, which complies with the Councils Engineering Standard FNDC/S/6 (with the exception of the sight distance requirements) and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. The construction of the crossing to this standard is required to ensure that the integrity of the right of way drainage system is maintained.
- II. At the time of lodging an application for building consent on the lot the building applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, sets out the specific design of the building's foundations and any associated earthworks. The “Subdivision Report” from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480 may be used as a reference to the geological conditions on site.
- III. At the time of lodging an application for building consent for any building on the lot, which requires a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report may reference the “Subdivision Report” from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan & Northland Regional Plan (Appeals) Permitted Activity Standards.

- IV. In conjunction with the construction of any building on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 2% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer, or IQP, and be submitted with the Building Consent application.
- V. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- VI. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- VII. The owners of the lots are required to limit all building development to the building envelopes identified on the approved scheme plan.

All Lots

- VIII. The consent holder is advised that the development area is within an area identified by the Department of Conservation as a “kiwi present” area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.

Decision B – Landuse:

- 1. There are no ongoing conditions associated with the land use breach resulting from the proposed subdivision.

Decision C – Cancellation of Easement:

- 1. ~~Pursuant to section 243(e) of the Resource Management Act 1991 the Far North District Council hereby resolves to cancel in part the Easement Instrument 7891591.1 insofar as they relate to proposed Lots 5 and 7 of Stage 1 of the proposed subdivision. The ROW is to remain on Lot 6's title.~~
- 2. ~~Pursuant to section 243(e) of the Resource Management Act 1991 the Far North District Council hereby resolves to cancel in part the Easement Certificate C594612.3 (Area B DP 159520) insofar as it relates to proposed Lots 9 and 10 of Stage 2 of the proposed subdivision.~~

1. Pursuant to section 243(e) of the Resource Management Act 1991, the Far North District Council hereby resolves to cancel the creation of the right of way marked B on DP 159520 over Lot 1 DP 159520 created by C594612.3 as it relates to Lots 1-4, 9 & 10 are to use an alternate access.
2. Pursuant to section 243(e) of the Resource Management Act 1991, the Far North District Council hereby resolves to cancel the creation of the right of way, marked A, B & C on DP 159520 over Lots 1 & 2 DP 159520 & Appurtenant to Lot 1 DP 36879 & created by 7891591.1. Reason: Lot 1 DP 36879 is getting access elsewhere.
3. Pursuant to section 243(e) of the Resource Management Act 1991, the Far North District Council hereby resolves to cancel the creation of the right of way, marked I over Lots 4 stage 1 & Appurtenant to Lot 5 stage 2. Reason: Lot 5 stage 2 is getting access elsewhere. This shall not be cancelled prior to the issuing of stage 2 s224(c) certificate. Note, this resolution relates to Stage 2 of the subdivision.

Decision D – Consent Time Frame

1. Pursuant to section 125(1) of the Resource Management Act, Stage 1 – Decision A” Subdivision shall lapse if not given effect to within 5 years of the decision date and Stage 2: Decision A: Subdivision shall lapse if not given effect to within 7 years of the decision date

Advice Notes

Lapsing of Consent

1. The granting of this section 127 application does not alter the lapse date of the original consent. The consent holder is recommended to check that the original consent does not lapse before it is given effect to.

Right of Objection

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

Archaeological Sites

3. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand’s Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The proposed change is within the scope of the original resource consent and therefore can be considered under section 127.
3. In regard to sections 104(1)(a) and 127(3) of the Act the actual and potential effects of the proposed change will be acceptable as:
 - a. Changes to consent conditions and cancelation of conditions result in a minimal change of effects as the previously approved activity varies in stages predominately. It has been concluded that the adverse effects will be less than minor.
 - b. The proposal will also result in positive effects, including providing sites that can accommodate housing in the Taipa and Doubtless Bay area and employment opportunities for a number of people and services for further infrastructure developments.
4. In regard to sections 104(1)(ab) and 127(3) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to sections 104(1)(b) and 127(3) of the Act the following statutory documents are considered to be relevant to the application:
 - a. Operative Far North District Plan 2009,
 - b. Proposed Far North District Plan 2022

Operative Far North District Plan

The proposed change is consistent with the relevant objectives and policies of Chapter 13 – Subdivision and Chapter 10 – Coastal Environment and Coastal Living Zones.

Proposed Far North District Plan

The proposed change is consistent with the relevant objectives and policies of the Subdivision and Rural Lifestyle chapters.

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans. As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary.
6. In regard to sections 104(1)(c) and 127 of the Act there are no other matters relevant to the application.

7. Based on the assessment above the proposed change will be consistent with Part 2 of the Act.
The proposed change will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the proposed change. The proposal remains an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
8. Overall, for the reasons above it is appropriate for the changes and cancellations of the conditions of consent to be granted.

Approval

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



Date: 16 June 2023

Schedule 1

Complete set of Consent Conditions for 2220480-RMACOM as Amended by 2220480-RMAVAR/A

Decision A – Subdivision:

Stage 1: Lots 1-4, 8-10

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Reyburn and Bryant Ltd, referenced Lots 1-4, 8-10 being a proposed subdivision of Lot 2 DP 159520 & Lot 1 DP 36879 (STAGE 1) 202b Oruru Road, Taipa, reference No S17381 Rev.B, dated 27.01.23 and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements to be duly granted or reserved.
 - (b) Building platforms on each undeveloped allotment as outlined on the revised scheme plan Rev.B dated 27.01.23.
 - (c) That the shed located along the boundary of Lot 8 and Lot 5 is wholly contained within the boundaries of Lot 8.
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the consent holder shall:
 - (a) The consent holder shall submit plans & details of the following works for the approval of Council's Resource Consents Manager, or designate, prior to commencing construction. Such works shall be designed in accordance with the Council's current Engineering Standards and NZS4404:2004.

In particular the plans and details shall show:

- I. The crossing details to right of way easements A, B and D.
- II. The improvements required within the road reserve to achieve a sight distance of 115 metres in a southerly direction from the new crossing.
- III. Any stability measures to be constructed within the road reserve to achieve the long-term stability of the roadside batter following cutting in accordance with the recommendations of the Geotechnical Report to be provided (refer Condition 3(b) below).
- IV. The formation of rights of way D to I with drainage measures and as per the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.
- V. Details of sealing (if any) for the crossing and formation of right of way D where gradients do not meet Appendix 3B-1 standards.
- VI. Provision for a heavy vehicle tracking curve at the right angle turn between rights of way E and F.
- VII. Provision for turning at right of way I.

- VIII. The upgrading of the existing formation within right of way A in accordance with appendix 3B-1 of the Far North Operative Plan for 2 H.E in the Coastal Living Zone.
 - IX. Earthworks and proposed erosion and sediment control measures required to undertake the development of the site.
- (b) Provide a report from a Chartered Professional Engineer experienced in geotechnical matters on the proposed works within the road reserve to improve sight distances to the south of the new crossing to rights of way B and D, and detailing any measures required to ensure the long-term stability of the batter following the earthworks.
 - (c) Provide evidence of resource consent (if required) from the Northland Regional Council for the required works for the subdivision that may breach Northland Regional Plan and National Environmental Standard for Freshwater Management regulations.
 - (d) Provide for Council's approval a preferred name and two alternatives for the private way. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the area.
4. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
- (a) Following receipt of the approved plans the Consent Holder shall ensure that the following works are constructed in accordance with the Councils Engineering Standards and Guidelines 2004 and the approved plans to the final inspection by the Council's Resource Consents Engineer or designate :-
 - I. Prior to any earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD 05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
 - II. Prior to any works commencing within the road corridor provide evidence that a Traffic Management Plan (TMP) has been approved by Council's Corridor Access Engineer and a Corridor Access Request (CAR) obtained for the vehicle crossing upgrade and any batter cutting or vegetation removal associated with improving sight distances.
 - III. Upgrade the existing crossing to rights of way A, B and D to a formed and sealed (or concreted) double width entrance farm access crossing which complies with the Council's Engineering Standard FNDC/S/6, 6B, 6D and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. Seal (or concrete) the entrance plus splays for a minimum distance of 5m from the existing seal edge plus allow for any sealing as required under Condition 3(a)(v).
 - IV. Carry out sight distance improvement works on Oruru Road so that the sight distance to the south from the new crossing is 115m in accordance with the Council's Engineering Standards. The recommendations of the geotechnical report being provided as a condition of consent (refer Condition 3(b)) shall be adhered to in

regard to any cutting of the roadside batter and any stabilisation measures required following the same.

- V. Upgrade the existing formed and metalled access on ROW easement A, to a 3m finished metalled carriageway width. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.
- VI. Provide a formed and metalled access on ROW easements D and E to a 5m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 5-8 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.

The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vi)

- VII. Provide a formed and metalled access on ROW easements F, G and H to a 3m finished metalled carriageway width with passing bays in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 3-4 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vi).

- VIII. Provide a formed and metalled access on ROW easement I to a 3m finished metalled carriageway width in accordance with Appendix 3B-1 of Far North District Council Engineering Standards for HE 2 within the Coastal Living Zone. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff. The stormwater from the water table drains and culverts shall be disposed of in a manner that does not result in downstream scouring and be generally taken to the discharge points as identified in the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021.

Provision must be made for a heavy vehicle as required by Condition 3(a)(vii)

- IX. Provide evidence to council Resource Consent Monitoring Officer or designate that the cost of purchasing and installing a road name sign for the private way has been paid to Council's contractor. Northern Area – Fulton Hogan (09) 408 6440.
 - X. Provide to Council written confirmation from a licensed cadastral surveyor that the access carriageways are fully contained within the easements provided.
- (b) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

Lots 1-4, 9 & 10

- I. At the time of building on the lot, provide a formed and metalled entrance crossing from the right of way to the lot, which complies with the Councils Engineering Standard FNDC/S/6 (with the exception of the sight distance requirements) and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. The construction of the crossing to this standard is required to ensure that the integrity of the right of way drainage system is maintained.
- II. At the time of lodging an application for building consent on the lot the building applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, sets out the specific design of the building's foundations and any associated earthworks. The "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480 may be used as a reference to the geological conditions on site.
- III. At the time of lodging an application for building consent for any building on the lot, which requires a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report may reference the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan & Northland Regional Plan (Appeals) Permitted Activity Standards.

- IV. In conjunction with the construction of any building on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 2% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer, or IQP, and be submitted with the Building Consent application.
- V. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- VI. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- VII. The owners of the lots are required to limit all building development to the building envelopes identified on the revised scheme plan.

Lot 8

- VIII. In conjunction with the construction of any additional buildings on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed in accordance with the recommendations of the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The details of the on site retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer or IQP and be submitted with the Building Consent application.

Lot 10

- IX. Any building consent application shall be accompanied by a landscaping plan from a suitably-qualified and experienced Landscape Architect as well as a schedule of recessive colours and materials (or natural materials), for the approval of the Council's Resource Consents Monitoring Officer, which indicates the means to lessen the visual impact of the building, its access and any earthworks. On approval of this plan, the landscaping specified is to be provided within six months and adequately maintained thereafter. Plants requiring removal due to damage, disease or other cause shall be replaced with a similar specimen before the end of the next following planting season (1st May to 30th September). Such planting shall be maintained for the duration of the consent.

All Lots

- X. The consent holder is advised that the development area is within an area identified by the Department of Conservation as a "kiwi present" area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the

keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.

Stage 2: Lots 5-7

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Reyburn and Bryant Ltd, referenced Lots 5-7 being a proposed subdivision of Lot 2 DP 159520 and Lot 1 DP 36979 (stage 2) 202b Oruru Road, Taipa, reference No S17381 Rev.B, dated 27.01.23 and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The revised survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements to be duly granted or reserved.
 - (b) Building platforms on each undeveloped allotment as outlined on the revised scheme plan Rev.B dated 27.01.23.
3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
 - (a) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the Applicant.

Lots 5 & 7

- I. At the time of building on the lot, provide a formed and metalled entrance crossing from the right of way to the lot, which complies with the Councils Engineering Standard FNDC/S/6 (with the exception of the sight distance requirements) and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. The construction of the crossing to this standard is required to ensure that the integrity of the right of way drainage system is maintained.
- II. At the time of lodging an application for building consent on the lot the building applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, sets out the specific design of the building's foundations and any associated earthworks. The "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480 may be used as a reference to the geological conditions on site.
- III. At the time of lodging an application for building consent for any building on the lot, which requires a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval a

TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report may reference the "Subdivision Report" from Core Engineering Solutions, Job No. 21-0192 and dated 1 November 2021 which was submitted with the application for RC220480. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan & Northland Regional Plan (Appeals) Permitted Activity Standards.

- IV. In conjunction with the construction of any building on the lot, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 2% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified Chartered Professional Engineer, or IQP, and be submitted with the Building Consent application.
- V. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- VI. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- VII. The owners of the lots are required to limit all building development to the building envelopes identified on the revised scheme plan.

All Lots

- VIII. The consent holder is advised that the development area is within an area identified by the Department of Conservation as a "kiwi present" area. Therefore, mustelids are not to be introduced or kept on site and it is recommended that care should be taken with the keeping of cats and dogs, as these animals may cause adverse effects on the kiwi population that may inhabit the area. Dogs are to be kept under control at all times and be tied up or kept indoors at night. For more information on these areas please contact the Department of Conservation.

Decision B – Landuse:

1. There are no ongoing conditions associated with the land use breach resulting from the proposed subdivision.

Decision C – Cancellation of Easement:

1. Pursuant to section 243(e) of the RMA 1991: The condition as to the creation of the right of way marked B on DP 159520 over Lot 1 DP 159520 created by C594612.3 is to be cancelled as it relates to Lots 1-4, 9 & 10, Reason: Lots 1-4, 9 & 10 are to use an alternate access.
2. Pursuant to section 243(e) of the RMA 1991 the conditions as to the creation of the right of way, marked A, B & C on DP 159520 over Lots 1 & 2 DP 159520 & Appurtenant to Lot 1 DP 36879 & created by 7891591.1 are to be revoked. Reason: Lot 1 DP 36879 is getting access elsewhere.
3. Pursuant to section 243(e) of the Resource Management Act 1991, the Far North District Council hereby resolves to cancel the creation of the right of way, marked I over Lots 4 stage 1 & Appurtenant to Lot 5 stage 2. Reason: Lot 5 stage 2 is getting access elsewhere. This shall not be cancelled prior to the issuing of stage 2 s224(c) certificate. Note, this resolution relates to Stage 2 of the subdivision.

Decision D – Consent Time Frame

1. Pursuant to section 125(1) of the Resource Management Act, Stage 1 – Decision A Subdivision shall lapse if not given effect to within 5 years of the decision date and Stage 2: Decision A: Subdivision shall lapse if not given effect to within 7 years of the decision date.



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 8. BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

OVERALL	-	PAGE 01 OF 04
STAGE 1	-	PAGE 02 OF 04
STAGE 1 EASEMENTS	-	PAGE 03 OF 04
STAGE 2	-	PAGE 04 OF 04

TOTAL AREA: 5.9866 Ha
 COMPRISED IN: RT NA1008/158 & NA95D/814
 THIS SITE IS ZONED 'COASTAL LIVING' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.

REV	DATE	DESCRIPTION
B	27.01.23	EASEMENT AMENDMENTS - LL/CC
A	23.12.22	FIRST ISSUE - RS/TM

REF. DATA:

Ph: 09 438 3563 PO Box 191, Whangarei 0140
 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 OVERALL
**PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520**

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	1/4 Rev. B



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SEE PAGE 03 OF 04 FOR STAGE 1 EASEMENT SCHEDULE

TOTAL AREA: 5.9866 Ha
 COMPRISED IN: RT NA1008/158 & NA95D/814
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CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 1
PROPOSED SUBDIVISION OF
LOT 1 DP 36879 &
LOT 2 DP 159520

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	2/4 Rev. B

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023

PROPOSED PART-CANCELLATION OF CONDITIONAL EASEMENTS

PURSUANT TO SECTION 243(e) OF THE RMA 1991: THE CONDITION AS TO THE CREATION OF: THE RIGHT OF WAY MARKED B ON DP 159520; OVER LOT 1 DP 159520; CREATED BY #C594612.3; IS TO BE CANCELLED AS IT RELATES TO LOTS 1 - 4, 9 & 10 HEREON. REASON: LOTS 1 - 4, 9 & 10 ARE TO USE AN ALTERNATE ACCESS

PROPOSED CANCELLATION OF CONDITIONAL EASEMENTS (STAGE 1)

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE CONDITIONS AS TO THE CREATION OF: THE RIGHT OF WAY, MARKED A, B & C ON DP 159520, OVER LOTS 1 & 2 DP 159520 & APPURTENANT TO LOT 1 DP 36879 & CREATED BY 7891591.1; ARE TO BE REVOKED REASON: LOT 1 DP 36879 GETTING ACCESS ELSE WHERE

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 10 HEREON	LOT 1 DP 159520 C594612.3

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(A)	LOT 10 HEREON	LOT 8 HEREON
	(B)	LOT 10 HEREON	LOT 8 HEREON & LOT 1 DP 159520
	(D)	LOT 10 HEREON	LOTS 1 - 4, 9 HEREON & LOT 1 DP 36879
	(E)	LOT 9 HEREON	LOTS 1-4 HEREON & LOT 1 DP 36879
	(F)	LOT 1 HEREON	LOTS 2-4 HEREON & LOT 1 DP 36879
	(G)	LOT 2 HEREON	LOTS 3-4 HEREON & LOT 1 DP 36879
	(H)	LOT 3 HEREON	LOT 4 HEREON & LOT 1 DP 36879
	(I)	LOT 4 HEREON	LOT 1 DP 36879
	RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 8 HEREON
(J)		LOT 1 DP 36879	LOT 8 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 8 HEREON	TOP ENERGY Ltd
	(E)	LOT 9 HEREON	
	(D)	LOT 10 HEREON	
	(F)	LOT 1 HEREON	
RIGHT TO CONVEY TELECOM.	(G)	LOT 2 HEREON	CHORUS Ltd
	(H)	LOT 3 HEREON	
	(I)	LOT 4 HEREON	

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TOTAL AREA: 5.9866 Ha
 COMPRISED IN: RT NA1008/158 & NA95D/814

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 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 1 EASEMENT SCHEDULE
 PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	3/4 Rev. B

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023



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**PROPOSED CANCELLATION OF
CONDITIONAL EASEMENTS
(STAGE 2)**

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE
CONDITIONS AS TO THE CREATION OF:
THE RIGHT OF WAY, MARKED I ON STAGE 1 OVER LOT 4
STAGE 1 & APPURTENANT TO LOT 5 HEREON
IS TO BE REVOKED REASON: LOT 5 WILL GAIN ACCESS ELSE
WHERE

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(D)	LOT 10 STAGE 1	LOTS 1-4 STAGE 1 & LOTS 5 - 7 HEREON
	(E)	LOT 9 STAGE 1	LOTS 5 - 7 HEREON
	(F)	LOT 1 STAGE 1	LOTS 2-4 STAGE 1 & LOTS 5 - 7 HEREON
	(G)	LOT 2 STAGE 1	LOTS 3-4 STAGE 1 & LOTS 5 - 7 HEREON
	(H)	LOT 3 STAGE 1	LOT 4 STAGE 1 & LOTS 5 - 7 HEREON
RIGHT TO CONVEY WATER, TELECOM. & POWER	(I)	LOT 4 STAGE 1	LOTS 6 & 7 HEREON
	(C)	LOT 8 STAGE 1	LOT 6 HEREON

TOTAL AREA: 2.0740 Ha
COMPRISED IN: RT NA1008/158

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REV	DATE	DESCRIPTION
B	27.01.23	EASEMENT AMENDMENTS - LL/CC
A	23.12.22	FIRST ISSUE - RS/TM

REF. DATA:

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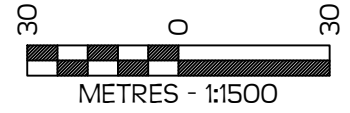
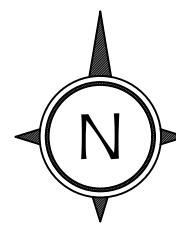
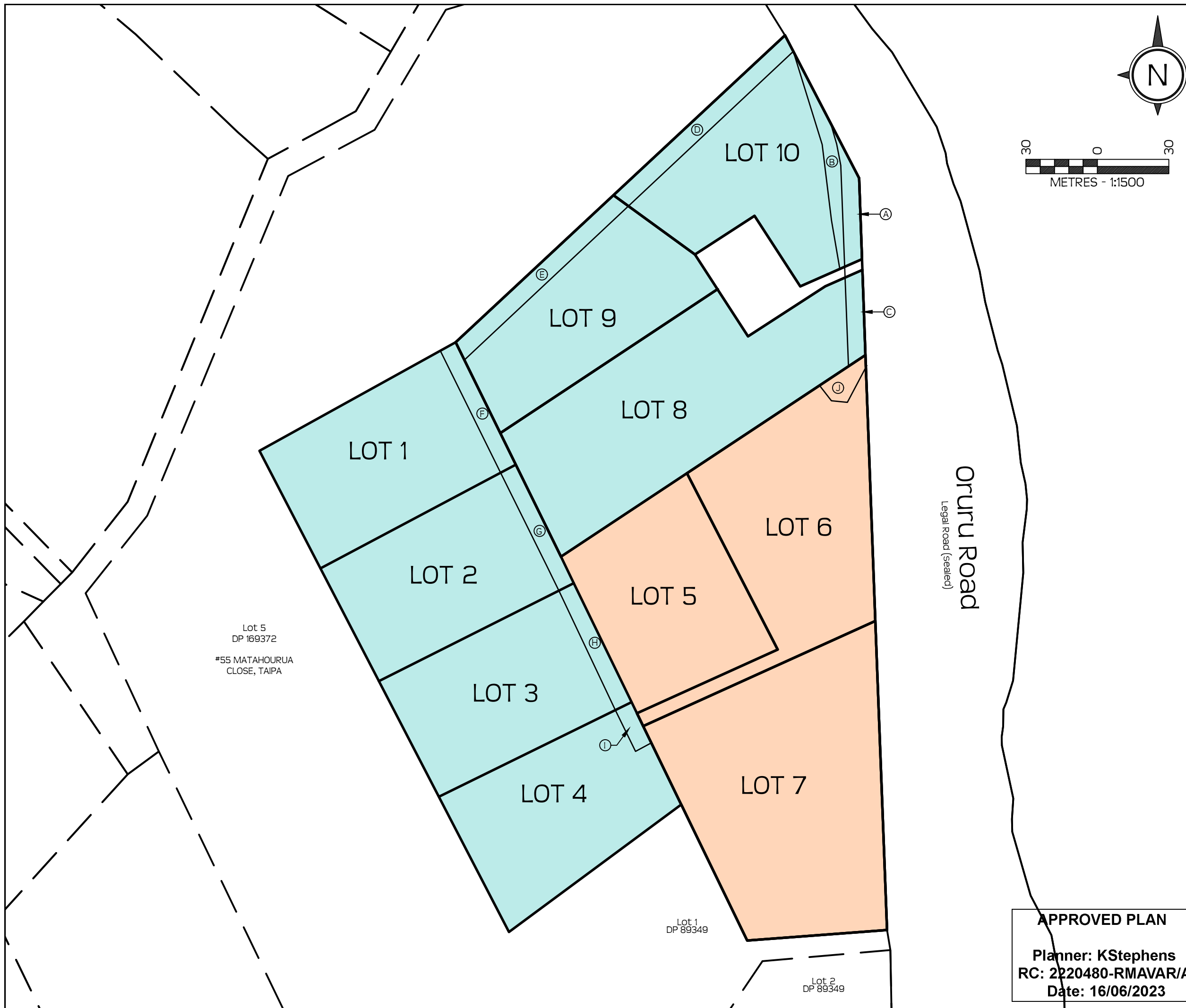
CLIENT
SEAN NEHO
202B ORURU ROAD, TAIPA

TITLE
STAGE 2
PROPOSED SUBDIVISION OF
LOT 1 DP 36879

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	4/4 Rev. B

APPROVED PLAN

Planner: KStephens
RC: 2220480-RMAVAR/A
Date: 16/06/2023



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OVERALL	-	PAGE 01 OF 04
STAGE 1	-	PAGE 02 OF 04
STAGE 1 EASEMENTS	-	PAGE 03 OF 04
STAGE 2	-	PAGE 04 OF 04

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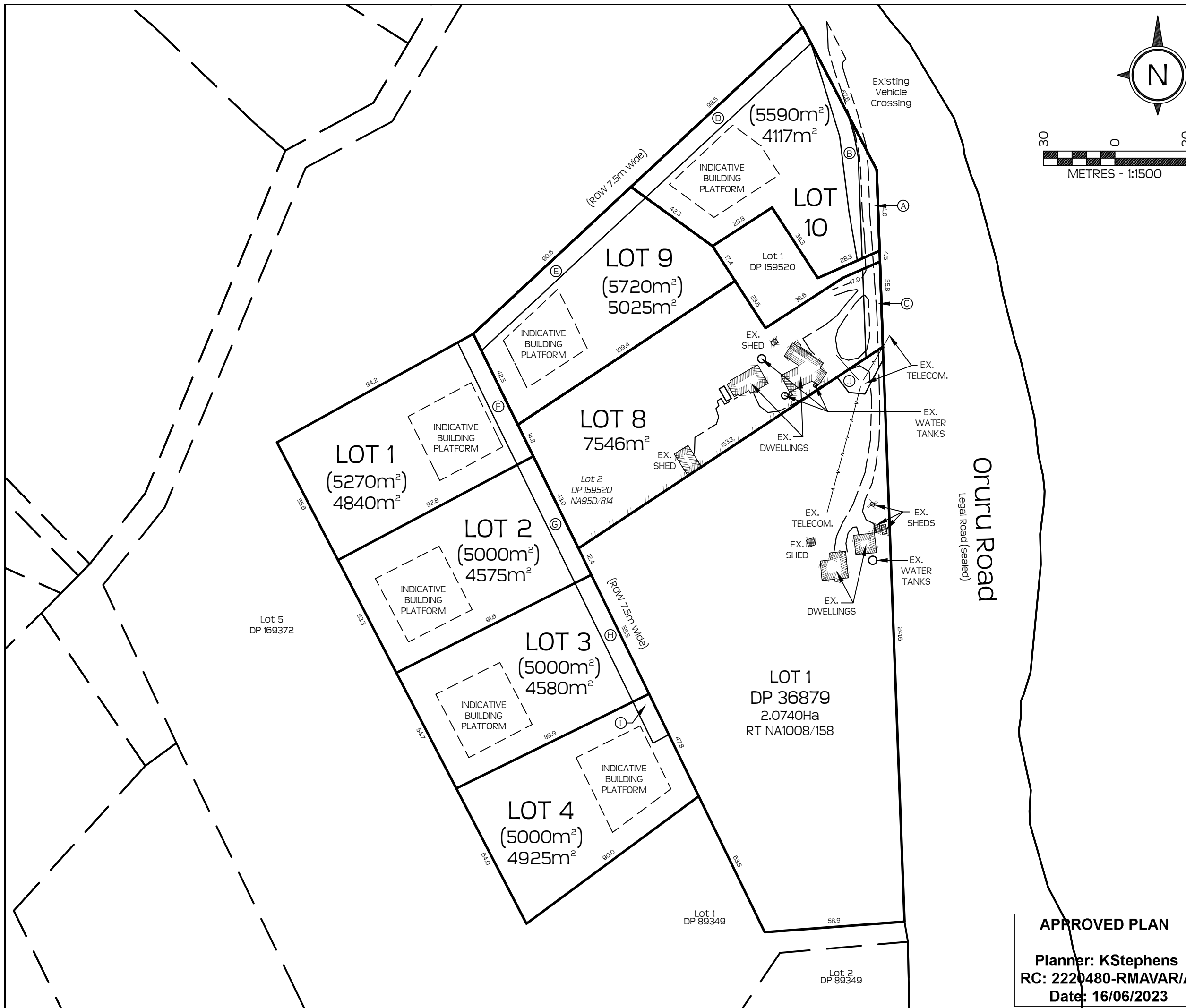
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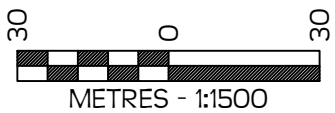
TITLE
 OVERALL
 PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023

DATE	JANUARY 2023	SCALE	1:1500 @A3
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SEE PAGE 03 OF 04 FOR STAGE 1 EASEMENT SCHEDULE

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 7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
 SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 1
 PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	2/4 Rev. B

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023

PROPOSED PART-CANCELLATION OF CONDITIONAL EASEMENTS

PURSUANT TO SECTION 243(e) OF THE RMA 1991: THE CONDITION AS TO THE CREATION OF: THE RIGHT OF WAY MARKED B ON DP 159520; OVER LOT 1 DP 159520; CREATED BY #C594612.3; IS TO BE CANCELLED AS IT RELATES TO LOTS 1 - 4, 9 & 10 HEREON. REASON: LOTS 1 - 4, 9 & 10 ARE TO USE AN ALTERNATE ACCESS

PROPOSED CANCELLATION OF CONDITIONAL EASEMENTS (STAGE 1)

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE CONDITIONS AS TO THE CREATION OF: THE RIGHT OF WAY, MARKED A, B & C ON DP 159520, OVER LOTS 1 & 2 DP 159520 & APPURTENANT TO LOT 1 DP 36879 & CREATED BY 7891591.1; ARE TO BE REVOKED REASON: LOT 1 DP 36879 GETTING ACCESS ELSE WHERE

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	SERV.TENE. (BURDENED)	BENEFITTED / CREATED
RIGHT OF WAY	(A)	LOT 10 HEREON	LOT 1 DP 159520 C594612.3

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(A)	LOT 10 HEREON	LOT 8 HEREON
	(B)	LOT 10 HEREON	LOT 8 HEREON & LOT 1 DP 159520
	(D)	LOT 10 HEREON	LOTS 1 - 4, 9 HEREON & LOT 1 DP 36879
	(E)	LOT 9 HEREON	LOTS 1-4 HEREON & LOT 1 DP 36879
	(F)	LOT 1 HEREON	LOTS 2-4 HEREON & LOT 1 DP 36879
	(G)	LOT 2 HEREON	LOTS 3-4 HEREON & LOT 1 DP 36879
	(H)	LOT 3 HEREON	LOT 4 HEREON & LOT 1 DP 36879
	(I)	LOT 4 HEREON	LOT 1 DP 36879
	RIGHT TO CONVEY WATER, TELECOM. & POWER	(C)	LOT 8 HEREON
(J)		LOT 1 DP 36879	LOT 8 HEREON

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED (SERV.TENE.)	GRANTEE
RIGHT TO CONVEY POWER	(C)	LOT 8 HEREON	TOP ENERGY Ltd
	(E)	LOT 9 HEREON	
	(D)	LOT 10 HEREON	
RIGHT TO CONVEY TELECOM.	(F)	LOT 1 HEREON	CHORUS Ltd
	(G)	LOT 2 HEREON	
	(H)	LOT 3 HEREON	
	(I)	LOT 4 HEREON	

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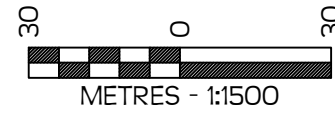
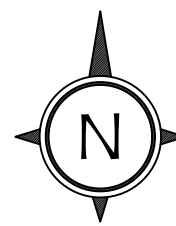
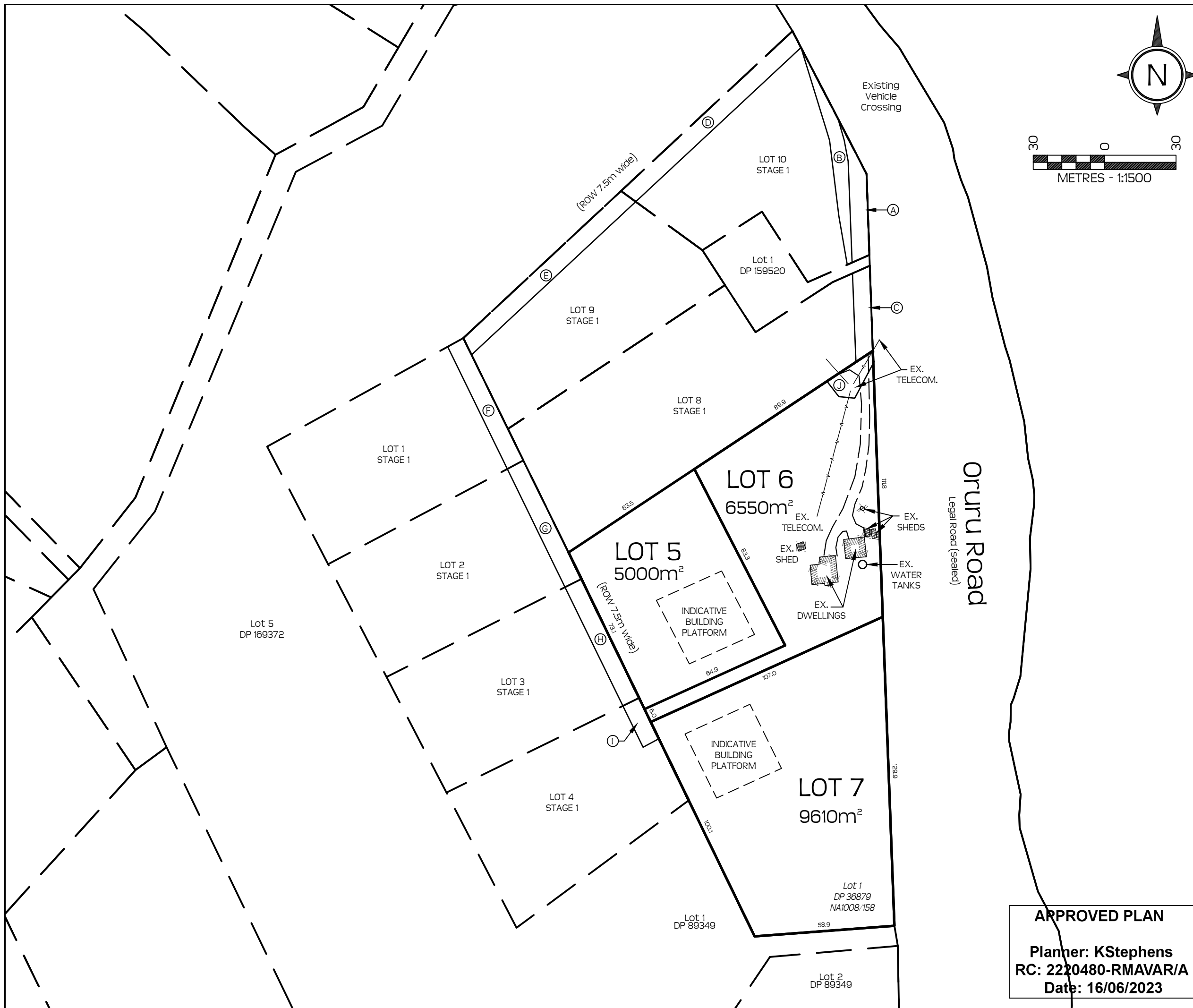
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CLIENT
SEAN NEHO
 202B ORURU ROAD, TAIPA

TITLE
 STAGE 1 EASEMENT SCHEDULE
 PROPOSED SUBDIVISION OF
 LOT 1 DP 36879 &
 LOT 2 DP 159520

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	3/4 Rev. B

APPROVED PLAN
 Planner: KStephens
 RC: 2220480-RMAVAR/A
 Date: 16/06/2023



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**PROPOSED CANCELLATION OF
CONDITIONAL EASEMENTS
(STAGE 2)**

PURSUANT TO SECTION 243(e) OF THE RMA 1991, THE
CONDITIONS AS TO THE CREATION OF:
THE RIGHT OF WAY, MARKED I ON STAGE 1 OVER LOT 4
STAGE 1 & APPURTENANT TO LOT 5 HEREON
IS TO BE REVOKED REASON: LOT 5 WILL GAIN ACCESS ELSE
WHERE

EXISTING EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED (SERV.TENE.)	BENEFITTED (DOM.TENE.)
RIGHT OF WAY, RIGHT TO CONVEY WATER, POWER & TELECOM.	(D)	LOT 10 STAGE 1	LOTS 1-4 STAGE 1 & LOTS 5 - 7 HEREON
	(E)	LOT 9 STAGE 1	LOTS 5 - 7 HEREON
	(F)	LOT 1 STAGE 1	LOTS 2-4 STAGE 1 & LOTS 5 - 7 HEREON
	(G)	LOT 2 STAGE 1	LOTS 3-4 STAGE 1 & LOTS 5 - 7 HEREON
	(H)	LOT 3 STAGE 1	LOT 4 STAGE 1 & LOTS 5 - 7 HEREON
RIGHT TO CONVEY WATER, TELECOM. & POWER	(I)	LOT 4 STAGE 1	LOTS 6 & 7 HEREON
	(C)	LOT 8 STAGE 1	LOT 6 HEREON

TOTAL AREA: 2.0740 Ha
COMPRISED IN: RT NA1008/158
THIS SITE IS ZONED 'COASTAL LIVING' AND THE BUILDING SETBACKS ARE
THUS: 10m FROM ALL BOUNDARIES.

REV	DATE	DESCRIPTION
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A	23.12.22	FIRST ISSUE - RS/TM

REF. DATA:

Ph: 09 438 3563 PO Box 191, Whangarei 0140
7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
SEAN NEHO
202B ORURU ROAD, TAIPA

TITLE
STAGE 2
PROPOSED SUBDIVISION OF
LOT 1 DP 36879

DATE	JANUARY 2023	SCALE	1:1500 @A3
NO.	S17381	SHEET	4/4 Rev. B

APPROVED PLAN

Planner: KStephens
RC: 2220480-RMAVAR/A
Date: 16/06/2023



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




R. W. Muir
Registrar-General
of Land

Identifier **NA95D/814**
Land Registration District **North Auckland**
Date Issued 29 April 1994

Prior References
NA46B/861

Estate Fee Simple
Area 3.9126 hectares more or less
Legal Description Lot 2 Deposited Plan 159520
Registered Owners
Gabrielle Maree Neho

Interests

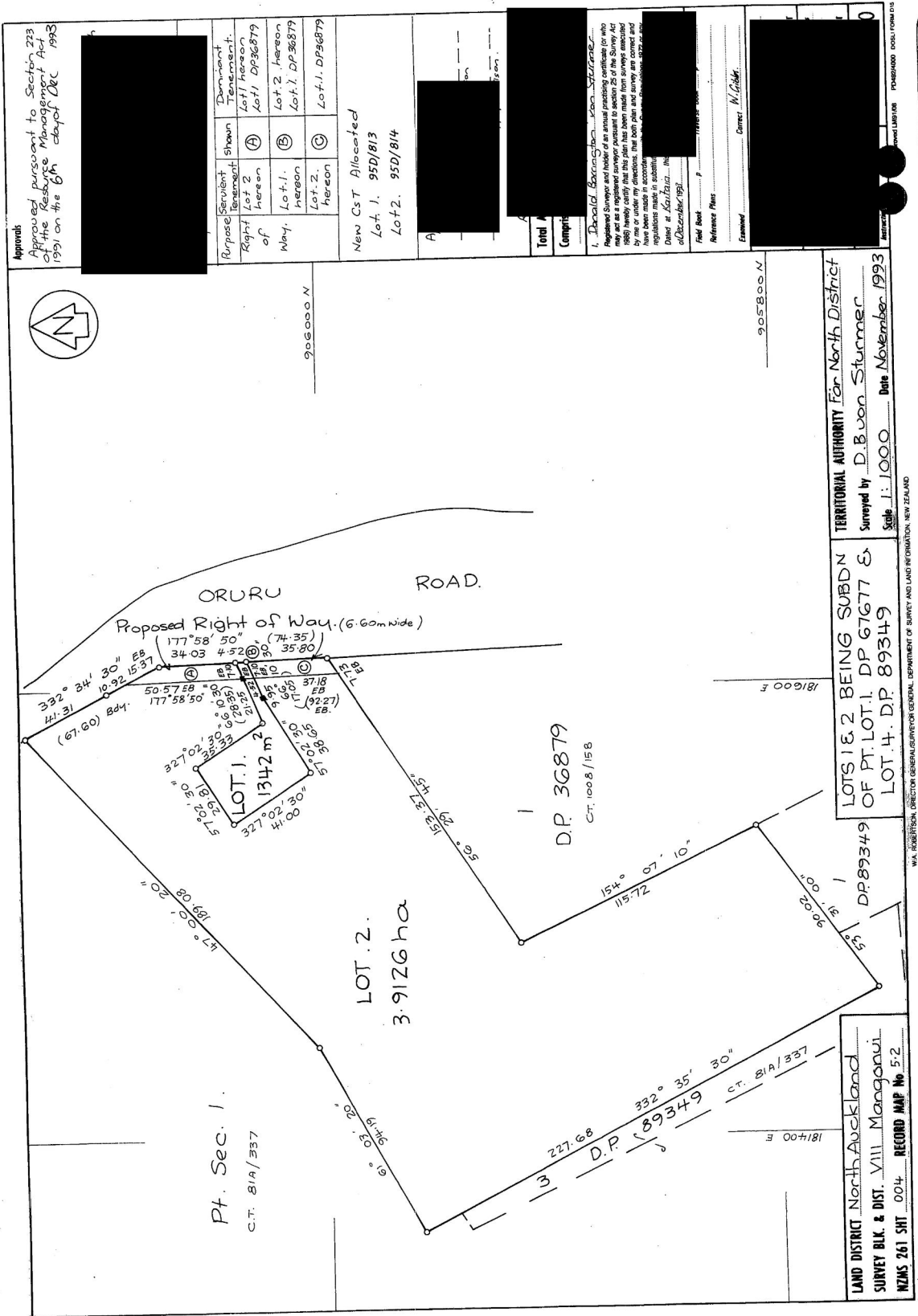
Subject to a right of way over part marked A on DP 159520 specified in Easement Certificate C594612.3 - 29.4.1994 at 2:42 pm

Appurtenant hereto is a right of way specified in Easement Certificate C594612.3 - 29.4.1994 at 2:42 pm

Subject to a right of way over part marked A and C on DP 159520 created by Easement Instrument 7891591.1 - 29.7.2008 at 9:00 am

11072808.2 Mortgage to Westpac New Zealand Limited - 29.3.2018 at 2:48 pm

Land Covenant in Covenant Instrument 12787573.1 - 13.10.2023 at 12:03 pm



Approved pursuant to Section 223 of the Resource Management Act 1991, on the 6th October 1993

Right of Way	Service to be shown	Dominant Tenement
Lot 2 of hereon	(A)	Lot 1 hereon D.P. 36879
Lot 1 hereon	(B)	Lot 2 hereon D.P. 36879
Lot 2 hereon	(C)	Lot 1 hereon D.P. 36879

New Cst Allocated
 Lot 1. 95D/813
 Lot 2. 95D/814

Total

Compt

1. Donald Barnard, son of Suzanne

Approved pursuant to section 223 of the Resource Management Act 1991, on the 6th October 1993, hereby certify that this plan has been made from surveys executed by me or under my direction, that the plan and survey are correct and have been made in accordance with the provisions of the Survey Act 1952 and that I am a duly qualified Surveyor.

Director of Land Information

Field Book: P
 Reference Plan: M.C. 11/11/11
 Estimated: M.C. 11/11/11

955.800 M

TERRITORIAL AUTHORITY for North District
 Surveyed by D. & von Stummer
 Scale 1:1000 Date November 1993

LOTS 1 & 2 BEING SUBDN OF PT. LOT 1. D.P. 67677 & LOT 4. D.P. 89349

D.P. 89349

LAND DISTRICT North Auckland
 SURVEY BLK. & DIST. VIII Mangonui
 NZMS 261 SH 004 RECORD MAP No. 5.2





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




R. W. Muir
Registrar-General
of Land

Identifier **NA1008/158**
Land Registration District **North Auckland**
Date Issued 06 September 1951

Prior References
NA674/86

Estate Fee Simple
Area 2.0740 hectares more or less
Legal Description Lot 1 Deposited Plan 36879
Registered Owners
Sean Daniel Noho

Interests

7844729.2 Mortgage to Westpac New Zealand Limited - 27.6.2008 at 3:46 pm
Appurtenant hereto is a right of way created by Easement Instrument 7891591.1 - 29.7.2008 at 9:00 am
Land Covenant in Covenant Instrument 12787573.1 - 13.10.2023 at 12:03 pm



METRIC AREA IS 2.0741
2.0740 ha

Conversion Factors:

- 1 Acre = 40.6m²
- 1 Bunch = 25.29m²
- 1 Link = 2012 metres

VIII Mangonui S.D.

29 Sec 1

