

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) 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](#).

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

☐ Yes ☒ No

If yes, who have you spoken with? _____

● Change of conditions (s.127)

Have you consulted with Iwi/Hapū? ☐ Yes ☒ No

If yes, which groups have you consulted with?

Who else have you consulted with?

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council
tehonosupport@fndc.govt.nz*

Name/s:

Kelly & Mie Weeds

Email:**Phone number:****Postal address:**

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

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:

Steven Sanson - Bay of Islands Planning

Email:

Phone number:

Postal address:

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

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:

**Property Address/
Location:**

Postcode

7. Application Site Details

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

Name/s:

Kelly and Mie Weeds

**Site Address/
Location:**

Legal Description:

Certificate of title:

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

Site visit requirements:

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

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

7. Application Site Details (continued)

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. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

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

Enter BC ref # here (if known)

☐ Regional Council Consent (ref # if known)

Ref # here (if known)

☐ National Environmental Standard consent

Consent here (if known)

☐ Other (please specify)

Specify 'other' here

11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application ☐ Yes

12. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☐ Yes ☒ No

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.

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)

Uchumi Trustee Co. Ltd / Kelly Weeds + Mie Kawai

Email:

Postal Address:

Phone Numbers:

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: Kelly Weeds Mie Kawai (please print)

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

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 write in full)

Signature:

Date

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)
- ☐ Details of your consultation with Iwi and hapū
- ☐ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

BAY OF ISLANDS PLANNING LTD

Kerikeri House
Suite 3, 88 Kerikeri Road
Kerikeri

Email – office@bayplan.co.nz Website - www.bayplan.co.nz

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15 July 2025

Far North District Council
John Butler Centre
Kerikeri

Application for consent condition variation s127 – RC 2240299, 22 Hone Heke Road, Kerikeri

Please find below a s127 application in relation to a proposed variation of consent conditions associated with RC 2240299.

RC 2240299 approved a two lot subdivision in the Residential Zone.

The conditions to be varied are sought under s127 of the Resource Management Act 1991 (**RMA**), which is a **Discretionary Activity**.

Yours sincerely,



Steven Sanson
Consultant Planner

APPLICANT & PROPERTY DETAILS

| | |
|-------------------------------|--|
| Applicant | Kelly Weeds |
| Address for Service | Bay of Islands Planning [2022] Limited Kerikeri House Suite 3 88 Kerikeri Road Kerikeri C/O – Steven Sanson steve@bayplan.co.nz 021 1606035 |
| Legal Description | Lot 3 DP 67778 |
| Certificate Of Title | NA23B/708 |
| Physical Address | 22 Hone Heke Road, Kerikeri |
| Site Area | 809m ² |
| Owner of the Site | Uchumi Trustee Company Limited, Mie Kawai & Kelly Weeds |
| District Plan Zone / Features | Residential Zone [ODP] General Residential Zone [PDP] |
| Proposed District Plan | Nil |
| Archaeology | Nil |
| NRC Overlays | Nil |
| Soils | Nil |
| Protected Natural Area | Nil |
| HAIL | Nil |

Schedule 1

SUMMARY OF PROPOSAL

| | |
|------------------------------|--|
| Proposal | <p>The variation relates to Condition 3[b] which requires that the consent holder:</p> <p><i>Provide evidence by way of a scale plan from a registered surveyor or drainlayer showing the location of any wastewater lines which connect the existing house on lot 1 to the council's reticulated wastewater network. Lines crossing lot 2 shall be redirected such that a 14x14 buildable area can be shown on the site without necessary easements for wastewater crossing the area.</i></p> <p>During the detailed design process, it has been found that it is not possible to meet this condition without significant costs in redirecting the wastewater network.</p> <p>An updated plan is provided highlighting the potential buildable envelope for the site, clear of wastewater easements.</p> <p>It is proposed to delete Condition 3[b] and add two new conditions.</p> |
| Reason for Application | <p>The proposed variation is required for changes proposed to Condition 3[b] as outlined above.</p> <p>An application under s127 of the RMA is needed.</p> |
| Appendices | <p>Appendix A – Record of Title & Instruments</p> <p>Appendix B – Proposed Building Plan</p> <p>Appendix C – Previous Decision RC 2240299</p> |
| Consultation | Nil |
| Pre Application Consultation | Email with previous processing planner – July 2025 |

1.0 INTRODUCTION & PROPOSAL

1.1 Report Requirements

This report has been prepared for Kelly Weeds in support of a s127 application in relation to the proposed variation associated with RC 2240299.

Details about the site are found above in Schedule 1 and in the Record of Title & Instrument found in Appendix A.

Appendix B provides a drawing showing the level of building possible within the site, clear of easements and wastewater assets. It is proposed to formalise the building envelope and then promote additional consent conditions that links future development to the building envelope.

Overall, Condition 3[b] is proposed to be deleted and replaced with two new conditions.

Decision documents associated with the original application RC 2240299 can be found in Appendix C.

Section 127 allows the holder of a resource consent to apply to the consent authority for a change or cancellation of a condition of the consent.

Sections 88 to 121 apply, with all necessary modifications, as if—

- a) the application was an application for a resource consent for a discretionary activity; and
- b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Section 127(4) also applies including:

- 1 -----
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—
 - (a) made a submission on the original application; and
 - (b) may be affected by the change or cancellation.

The conditions sought to be changed with the proposed wording is outlined below.

- Condition 3[b].

The proposed variation to read as follows (refer underlined for additions and ~~strikethrough for deletions~~):

Condition 2[c]:

The building envelope identified on the plan prepared by Williams & King Ltd, entitled RC 2240299 RMA SUB Proposed Building Envelope for Lot 2, reference 24218, and dated July 25.

Condition 3[b]:

~~Provide evidence by way of a scale plan from a registered surveyor or drainlayer showing the location of any wastewater lines which connect the existing house on lot 1 to the council's reticulated wastewater network. Lines crossing lot 2 shall be redirected such that a 14x14 buildable area can be shown on the site without necessary easements for wastewater crossing the area.~~

Condition 5[b]

All residential dwellings and associated ancillary structures (including but not limited to : sheds, minor dwellings, pool houses, sauna buildings and sleep outs) and swimming pools shall be located within the building envelope identified as per condition 2(c) unless agreed in writing by the Team Leader Resource Consents or any duly delegated officer.

The rationale behind the changes are as follows:

- A 14m x 14m building envelope cannot be provided without significant costs involved with redirected the wastewater lines between Lot 1 and Lot 2. The building envelope which can be provided is 13.15m x 12.14m x 13.93m x 11.87m. This allows for an envelope of ~162m² [as opposed to an area of 196m²]. The envelope still provides for a modest residential dwelling to be built in the future.

Should there be any other changes (consequential or otherwise) that arise during process, we retain the right to make further alternations and also provide FNDC staff with discretion to make changes that assist in workability and better implementation of consent conditions.

1.2 Section 127

The RMA establishes that a request under s127 is deemed to be discretionary activity and Section 88 to 121 apply with the necessary modifications. Additionally, in considering the request to change the condition Council is limited to only considering what is being sought within the condition change and the effects there from.

The original resource consent application was not the subject of a publicly notified process and approved. The decision was not the subject of an appeal. In terms of the effects created by this variation these factors are addressed as follows.

1.3 Application Process

The Council retains the discretion to determine whether a discretionary activity should be notified. In determining this factor, it is the change in the effects of the consent conditions which are assessed against any possible adverse effects upon any person.

The RMA also requires Council to consider the effect of the change on those persons who lodged a submission to the original application. In this case the original consent was processed heard.

This aspect requires the Council to assess if the effects of the condition change would have an adverse effect upon any of the submitters.

The change of conditions would not in my opinion create any adverse effects that are more than minor. It is also considered the change to consent conditions does not create effects of a nature that would necessitate involving any third party. The reasons for this conclusion are provided below.

Overall, it is considered that the application to change the condition can be processed without notification.

1.4 Effects

For this application, the potential adverse effects to be assessed are those arising from aspects of the proposal that have been identified as differing from the consented proposal.

In summary:

- The reduction of potential building area for a future dwelling is ~34m². This is not considered substantial or give rise to any effects. This will still provide sufficient space for a modest dwelling in the residential zone.
- Whilst the processing planner noted a potential breach to the specific allotment dimension rule found within Chapter 13, I note that the proposal can still provide a 14m x 14m envelope clear of boundary setbacks, however it couldn't specifically meet a 14m x 14m setback clear of wastewater lines as well, hence the need for the application.

1.5 Conclusion

Based on the above assessment, it considered that the actual and potential adverse effects of the proposal that would be less than minor and that there are no affected parties resulting.

2.0 STATUTORY CONTEXT

2.1 Objectives, Policies and Rules of the Far North District Plan

The variation is to be assessed as a Discretionary Activity as if it was a resource consent. Section 104B requires the consideration of any relevant objectives and policies in addition to the effects of the activity.

It is considered these factors have been addressed within the original land use application and the changes are of such a small nature that re-assessment would not add anything to the evaluative exercise previous undertaken.

2.2 Northland Regional Council Policy & Plans

For the same reasons, there is no need to reconsider the relevant policies and plans of the Northland Regional Council

2.3 National Policy Statements & National Environmental Standards

There are no new NPS' or NES of relevance to this variation.

2.8 Conclusion

Having considered the above, I am of the opinion that the proposal is not inconsistent with the relevant suite of statutory documents.

3.0 PART 2 ASSESSMENT

3.1 Section 5 – Purpose of The RMA

Section 5 in Part 2 of the RMA identifies the purpose as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being which sustain those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding remedying or mitigating adverse effects on the environment.

It is considered that proposal represents a sustainable use of existing resources that allow people and the community to provide for its social and economic wellbeing in a manner that mitigates adverse effects on the environment.

3.2 Section 6 – Matters of National Importance

In achieving the purpose of the RMA, a range of matters are required to be recognised and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal have been recognised and provided for in the design of the development.

3.3 Section 7 – Other Matters

In achieving the purpose of the RMA, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
 - (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:

- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

3.4 Section 8 – Treaty of Waitangi

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

3.5 Part 2 Conclusion

Given the above, it is considered that the proposal meets the purpose of the RMA.

4.0 CONCLUSION

The changes proposed result in environmental effects which are less than minor, and the proposal is not inconsistent with higher order documents. An assessment of Part II of the RMA has been completed with the proposal generally able to satisfy this higher order document.

Yours sincerely,



Steve Sanson
Consultant Planner



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

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **NA23B/708**
Land Registration District **North Auckland**
Date Issued 12 September 1973

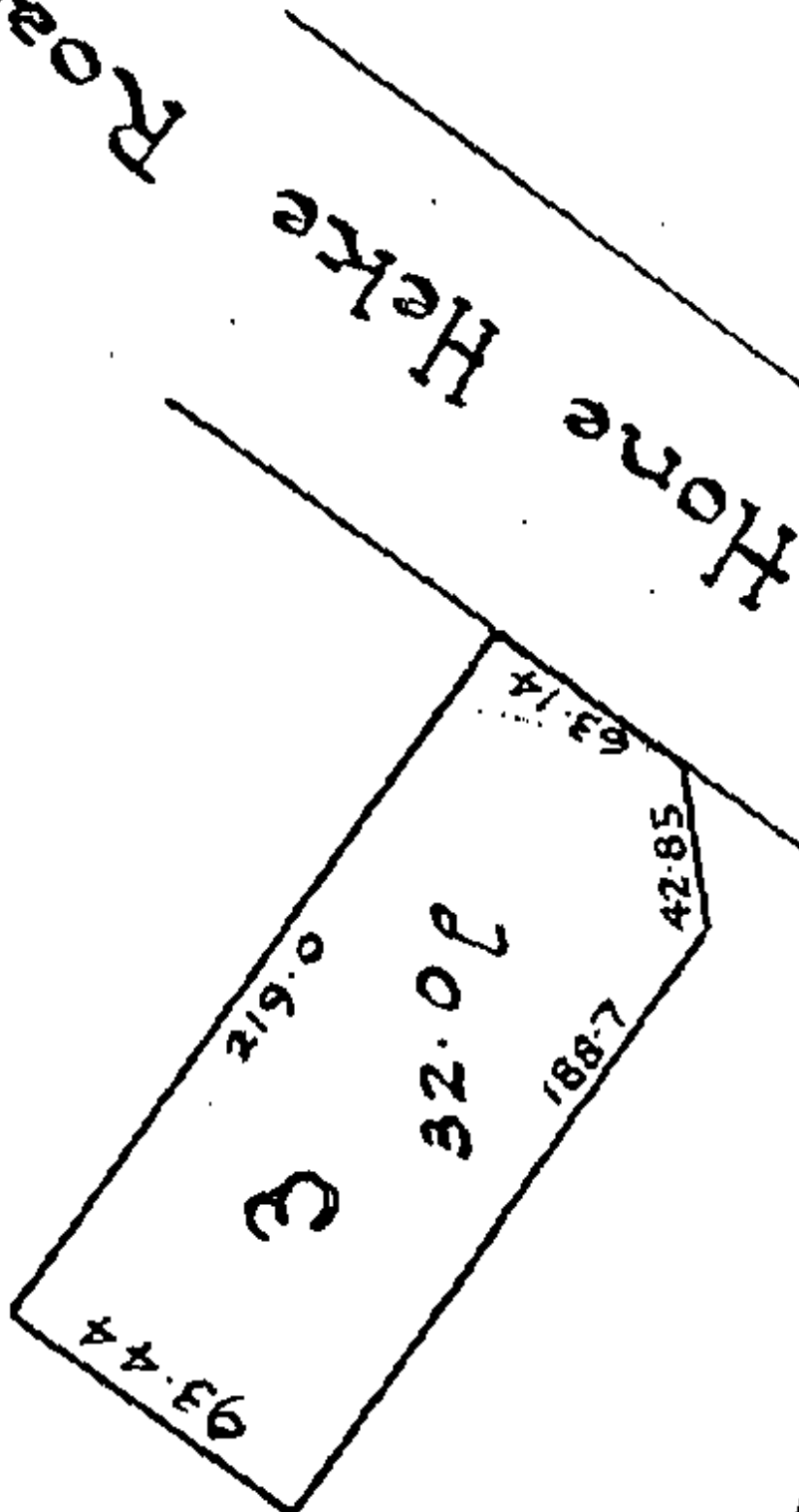
Prior References
NA864/199

Estate Fee Simple
Area 809 square metres more or less
Legal Description Lot 3 Deposited Plan 67778
Registered Owners
Kelly Weeds, Mie Kawai and Uchumi Trustee Company Limited

Interests
9548670.3 Mortgage to Bank of New Zealand - 14.11.2013 at 12:56 pm

New Ze
Land 8.

Xl Kerikeri S.D.



STAKE ~~X~~

~~X~~ STAKE

FNDC SEWER MAIN

EASEMENT LINE

PROPOSED BUILT

13.15m



PROPOSED BUILDING ENVELOPE LINE

11.87m

3.0m BOUNDARY OFF SET

LOT 1
508m²

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SHEET TITLE:

JOB/CLIENT:

Job No: 24218
File: 24218 BUILDING ENVELOPE.lcd

Registered Land Surveyors, Planners &
Land Development Consultants

27 Hobson Ave
PO Box 937, Kerikeri
Tel: 09-407 6030
Email: kerikeri@saps.co.nz

SHEET No
1/1

DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision resource consent for a Discretionary activity, subject to the conditions listed below, to:

Applicant: Kelly Weeds
Council Reference: 2240299-RMASUB
Property Address: 22 Hone Heke Road, Kerikeri
Legal Description: Lot 3 DP 67778

The activity to which this consent relates is:

Subdivision in the Residential Zone breaching the Minimum Allotment Size in the Residential Zone Rule as a Discretionary Activity.

Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Williams & King Ltd, referenced Proposed Subdivision of Lot 3 DP 67778, dated February 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a) All easements in the memorandum to be duly granted or reserved.
 - b) Any necessary easements to provide for the conveyance of wastewater over lot 2 in favor of lot 1. Easements provided for this condition should reflect the outcome of the investigation undertaken in accordance with condition 3b) of this consent.
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 all works for the approval of Council 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 vehicle crossing to access Lot 2 is formed in line with FNDC Drawing FNDC/S/2 (Residential).
 - II. A reticulated stormwater system with a connection to each lot.
 - III. Design details for a sewer connection to Lot 2. The connection shall be made to the 150mm gravity line within the western boundary of the Lot.
 - IV. Water meters located within the roadside berm. Existing water supply lines within the road corridor on Oripiro Rd shall be located, marked and adequately protected prior to works commencing.
 - V. Traffic management plan for the proposed works [if any].
- b) Provide evidence by way of a scale plan from a registered surveyor or drainlayer showing the location of any wastewater lines which connect the existing house on lot 1 to the council's reticulated wastewater network. Lines crossing lot 2 shall be redirected such that a 14x14 buildable area can be shown on the site without necessary easements for wastewater crossing the area.

Section 224(c) compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a) Provide evidence (asbuilts) that each lot has a connection to Council's reticulated stormwater system that complies with the requirements of Council's Engineering Standards and Guidelines 2004- Revised 2009.
 - b) Provide a formed and concreted entrance for Lot 2 which complies with the Council's Engineering Standard FNDC/S/2 and section 3.3.7.1 of the Engineering Standards and NZS 4404:2004.
 - c) Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of all new allotments.
 - d) Provide evidence that separate metered connections for proposed Lots 1 and 2 to the Council water supply scheme have been provided.
5. 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 consent holder:
 - a) At the time of lodging an application for building consent on any of the lots 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 indicates the programme of supervision of the foundation construction.

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
 - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

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.

General Advice Notes

4. This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).
5. Consent holder is responsible for the repair and reinstatement of the road carriageway, the kerb and footpath damaged as a result of the earthworks. Such works, where required, will be completed to the satisfaction of the Council's Roading Manager.
6. Any debris deposited on the public road as a result of the earthworks shall be removed by or at the expense of the applicant.
7. Consent holder responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.
8. That any stormwater discharged into the Council's stormwater system is to comply with the requirements and conditions of the Far North District Council's stormwater discharge consent. That a producer statement be submitted to the satisfaction of Council, specifying that the plans and specifications satisfy the building code requiring that surface water be disposed of in a way that avoids the likelihood of damage or nuisance.

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 also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 13.10.1 Allotment Sizes and Dimensions are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The proposal has demonstrated that the proposed allotments can accommodate onsite infrastructure in a manner which does not adversely affect the safety and efficiency of the roading network.
 - b. The site is not subject to any areas of significance that are affected by the proposed subdivision
 - a. The proposal will also result in positive effects in enabling the lots to be independently disposed of.
4. In regard to section 104(1)(ab) 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 section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. Northland Regional Policy Statement 2016,
 - b. Operative Far North District Plan 2009,
 - c. Proposed Far North District Plan 2022

Northland Regional Policy Statement 2016

The proposal is consistent with the relevant objectives, policies and assessment criteria of the Northland Regional Policy Statement 2016 as the proposal does not result in any reverse sensitivity effects or change of character or sense of place. Additionally, the proposal does not exacerbate the natural hazards on site and mitigation measures are conditioned to ensure the proposal does not generate adverse effects off site.

Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because the density is compatible, so too are the activities which are residential in nature.

The proposal is not contrary to the relevant objectives and policies of the ODP. The proposed subdivision continues to achieve residential development at similar densities

to those prevailing at present and results in effects that are compatible with the effects of residential activity.

Proposed Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Proposed District Plan similar to that outlined in the operative district plan objectives and policies.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
7. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
8. Based on the assessment above the activity will be consistent with Part 2 of the Act.
The activity 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 application. The proposal is 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.
9. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Swetha Maharaj, Intermediate Resource Planner. 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.



Simeon McLean

Date: 11 March 2024

Independent RMA Commissioner

MEMORANDUM OF EASEMENTS IN GROSS

| PURPOSE | SHOWN | BURDENED LAND | GRANTEE |
|-----------------------|-------|---------------|----------------------------|
| RIGHT TO DRAIN SEWAGE | A | LOT 2 HEREON | FAR NORTH DISTRICT COUNCIL |

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

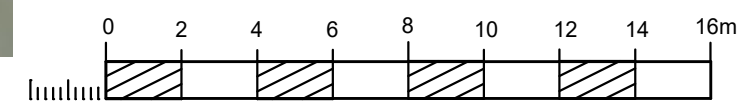
This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

Local Authority: Far North District Council

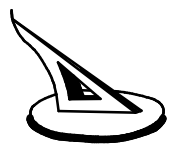
Total Area: 0.0809ha
Comprised in: NA23B/708



APPROVED PLAN
Planner: SMaharaj
RC: 2240299- RMA SUB
Date: 11/03/2024



Prepared for: Uchumi Trustee Company Ltd



WILLIAMS AND KING
Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 407 6030 27 Hobson Ave
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

Proposed Subdivision of Lot 3 DP 67778

| | Name | Date |
|--------|-------|-----------|
| Survey | MP | Sept 2023 |
| Design | W & K | Sept 2023 |
| Drawn | W & K | Sept 2023 |
| Rev | W & K | Feb 2024 |

ORIGINAL
SCALE
1:200
SHEET
SIZE
A3

24218