



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: Gemscott King Ltd

Electronic Address for Service (E-mail): _____

Phone Numbers: _____

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

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

Name/s: CKL NZ Ltd

Milan Covic

Electronic Address for Service (E-mail): milan.covic@ckl.co.nz

Phone Numbers: Work: 0278805436 Home: _____

Postal Address: PO Box 171, Hamilton

Post Code: 3240

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: Gemscott King Ltd

Property Address/
Location: 3 Clark Road, Kerikeri

7. Application Site Details:

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

Site Address/
Location: 3 Clark Road, Kerikeri

Legal Description: Lot 2 DP 585331 Val Number: _____

Certificate of Title: 1139283

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

Site Visit Requirements:

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

Is there a dog on the property? Yes / **No**

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

Please contact Gemscott or CKL to arrange a site 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.

Changes to Conditions 1 and 7 to reflect a change in the approved colour scheme for dwellings

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:

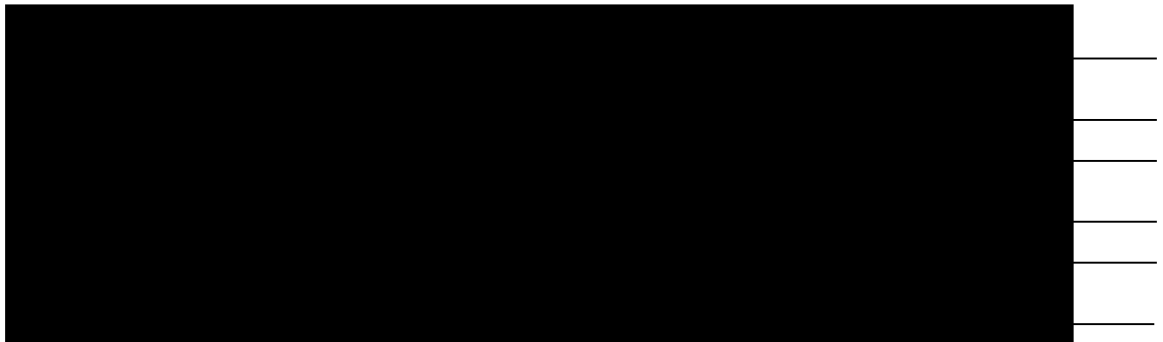
This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

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

Email:

Postal Address:

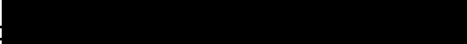
Phone Numbers:

A large black rectangular redaction box covers the contact information fields. To the right of the box, there are several horizontal lines extending from the edge of the page, likely representing a continuation of the form or a scanning artifact.

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: 7/11/23

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: 07/11/2023

(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



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




R. W. Muir
Registrar-General
of Land

Identifier **1139283**
Land Registration District **North Auckland**
Date Issued 13 September 2023

Prior References
NA1632/41 NA1646/66 NA9A/628

Estate Fee Simple
Area 1320 square metres more or less
Legal Description Lot 2 Deposited Plan 585331

Registered Owners

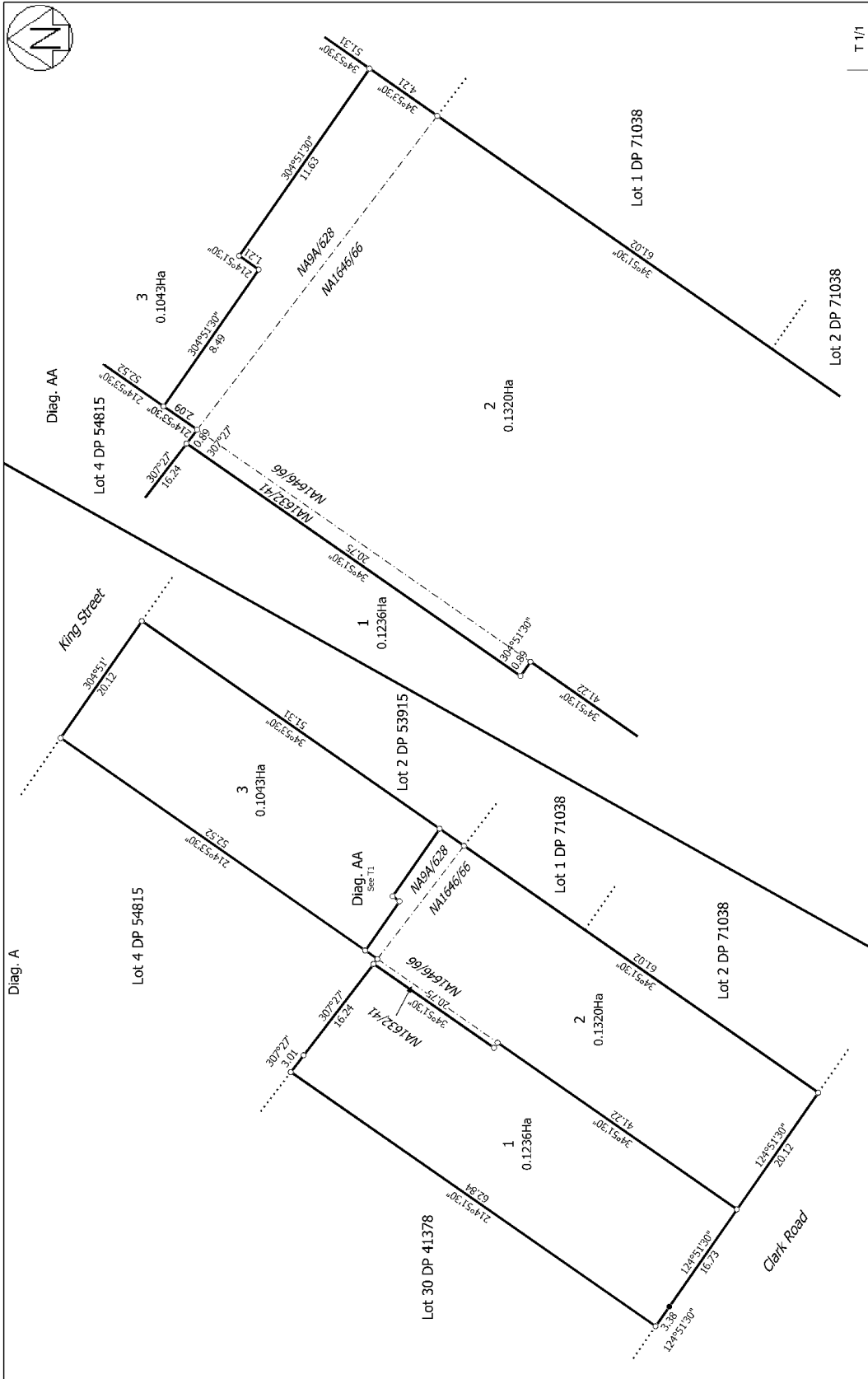


Interests

12611696.1 Mortgage to CBE Limited - 22.11.2022 at 12:14 pm (affects parts formerly Lot 28 DP 41378 and Lot 3 DP 53915)

12730580.1 Mortgage to CBE Limited - 19.5.2023 at 3:42 pm (affects part formerly Lot 29 DP 41378)

12799463.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS RECORD OF TITLE IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (AFFECTS PARTS FORMERLY LOT 28 DP 41378 AND LOT 3 DP 53915) (ALSO AFFECTS 1139284) - 8.8.2023 at 7:00 am



<p>Land District: North Auckland</p> <p>Digitally Generated Plan</p> <p><small>Generated on: 25/09/2023 10:32am Page 2 of 2</small></p>	<p>Lots 1-3 Being a Subdivision of Lot 28 & 29 DP 41378 & Lot 3 DP 53915</p>	<p>Surveyor: Brandon John Taylor</p> <p>Firm: CKL</p>	<p>Title Plan</p> <p>DP 585331</p> <p>Deposited on: 13/09/2023</p>
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Certificate imposing condition under section 75(2)



Section 77(1) and section 77(4) of the Building Act 2004

Land Registration District(s):	Land Information New Zealand Northern Processing Centre Private Bag 3028 Waikato Mail Centre HAMILTON 3240	C77	
Computer register(s) of land on which building work is to be carried out			
Unique identifier	All / Part	Legal description	Unique identifier(s) of Other Specified Allotment(s) to be included in any Transfer or Lease
NA1646/66	All	Lot 28 Deposited Plan 41378	NA9A/628 Lot 3 Deposited Plan 53915
Full name and signature of all Registered Proprietor/s			
Full name (please print) <i>Surname to be underlined</i>		Signature date	
Darren Park		20/07/23	
Director, Gemscott King Limited.			
<p>A building consent is to be granted, subject to a condition under section 75 of the NZ Building Act 2004 stating that the specified allotments must not be transferred or leased except in conjunction with (the) other allotment(s), as set out in the above table.</p>			
Dated this	3rd day of August	20 23	
Name	Trent Blakeman	Signature	
Designation / role:	Manager Building Services		
Duly authorised to execute this form for and on behalf of the Far North District Council			

MANUAL DEALING LODGEMENT FORM

Title Schedule

Page Two

LINZ Fees

Landonline User ID: Itane001

LOGGING FIRM: regulatorycska

Private Individual: _____

Address: Private Bag 752

Memorial Ave

Kaikohe

ASSOCIATED FIRM: Far North District Council

Client Code / Ref: EBC-2023-623/0/A

Please debit my Landonline account
(Only available for Landonline customers)

C77 12799463.1 Buildi
Cpy - 02/03, Pgs - 002, 07/08/23, 09:36
box at a LINZ

Copies
(inc. original)
DocID: 959093748

Blank All Payment Fields

Print This Page

Print All Pages

Clear All

Plan Number/Pre-Allocated or
to be Deposited:

Rejected Dealing Number: _____

Priority Order	CT Ref	Type of Instrument	Names of Parties	Document Fees	Resubmission	Notices	Priority Capture*	FEES \$ GST INCLUSIVE
1	NA 1646/66 and NA9A/628	C77	Gemscott King Limited	\$180.00				180.00
2								
3								
4								

Annotations (LINZ use only).

RECEIVED
07 AUG 2023

Original Signatures: _____

Subtotal **\$180.00**

Total for this dealing **\$180.00**

Less fees paid on Dealing # _____

Debit my Landonline account for
(Only available for Landonline customers)
or Cash / Cheque enclosed for
(Only pay in cash if depositing in drop box at a LINZ processing centre)
or Eft-pos payment due for
(Eft-pos only available if lodging the dealing in person at a LINZ processing centre)

Land Information New Zealand Manual Dealing
Lodgement Form
Fees Receipt and Tax Invoice
GST Registered Number 17-022-895

LINZ Form P005

* Making a priority lodgement ensures the lodgement is entered into the LINZ work queue at the time and date it was handed over at the counter. Priority does not provide urgency in processing the dealing. For further details please reference the [manual_dealing_user_guide](#)

**DECISION ON COMBINED RESOURCE CONSENT APPLICATION
UNDER THE RESOURCE MANAGEMENT ACT 1991**

Decision

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

Council Reference: 2230381-RMACOM
Applicant: Gemscott King Limited
Property Address: 3 Clark Road, Kerikeri 0230
Legal Description: LOT 28 DP 41378

The activities to which this decision relates are listed below:

Activity A: Subdivision

To undertake a Boundary adjustment of Lot 28 DP 41378 and Lot 3 DP 53915 as a Controlled Activity.

Activity B: Land Use

To construct eight residential units in the Commercial and Residential Zones breaching the loading space and vehicle crossing standard rules of the District Plan as a Discretionary Activity.

Decision A - Subdivision

Pursuant to sections 108 and 220 of the Act, this subdivision consent is granted subject to the following conditions:

1. The activity shall be carried out in accordance with the approved plans prepared by CKL, referenced Application Plan Subdivision Consent Proposed Layout, dated 2023.05.22, DWG 1524, Rev 0 and attached to this consent with the Council's "Approved Stamp" affixed to it.

Lapsing of Consent

2. 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.

General

3. This consent has been granted on the basis of all the documents and information provided by the consent holder.

Decision B - Land Use

Pursuant to sections 108 of the Act, this land use consent is granted subject to the following conditions:

1. The activity shall be carried out in accordance with the approved plans and reports attached to this consent with the Council's "Approved Stamp" affixed to them.

Author	Project No	Sheet/Drawing	Rev	Dated
A Studio Architects	2212	RC-005	B	2023-05-23
		RC-030	B	2023-05-23
		RC-035	B	2023-05-23
		RC-040	B	2023-05-23
		RC-042	A	2023-05-23
		RC-044	A	2023-05-23
		RC-048	A	2023-05-23
		RC-070	A	2023-05-23
		RC-071	A	2023-05-23
		RC-080	A	2023-05-23
		RC-084	A	2023-05-23
		RC-1210	A	2023-05-23
		RC-1211	A	2023-05-23
		RC-1225	A	2023-05-22
		RC-1226	A	2023-05-22
Greenwood Associates		1419/02 - General Arrangement Landscape Plan		24/05/23
		1419/03 – Planting Plan		24/05/23
		1419/04 – Plant Palette		24/05/23
		1419/05 – Hardscape Plan		24/05/23
		1419/06 – Fencing Plan		24/05/23

2. Prior to the occupation of the buildings the consent holder shall mark the parking areas for Units 1-8 with clear, visible markings identifying which park is associated with which unit.
3. Prior to the occupation of the buildings the consent holder shall install bicycle storage facilities for not less than 4 bicycles. The bicycle storage shall be located in such a position and orientation as to not obstruct the use of the access way.
4. Prior to building works commencing on the site, the consent holder shall undertake fire hydrant testing and submit the test results for the review of Council which show that firefighting water

pressures and flows at the hydrant comply with the requirements of the FNDC Engineering Standards and Guidelines 2004-Revised 2009 and SNZ PAS 4509:2008. Any upgrades required to achieve these pressures and flows at the hydrant shall be undertaken at the cost of the consent holder.

5. Prior to occupation of the buildings, the consent holder shall provide evidence that Units 1 - 8 have been provided with an approved connection to Council's reticulated water supply system in accordance with the requirements of Council's Engineering Standards and Guidelines.
6. Prior to the issue of a Code Compliance Certificate for the buildings or their occupation (whichever comes first) the consent holder shall implement the landscaping and fencing specified in the following plans which are attached to this consent with the council's approved plan stamp affixed to them:

Author	Project No	Sheet/Drawing	Rev	Dated
Greenwood Associates		1419/03 – Planting Plan		24/05/23
		1419/05 – Hardscape Plan		24/05/23
		1419/06 – Fencing Plan		24/05/23

All landscaping shall be adequately maintained thereafter. Plants requiring removal due to damage, disease or other causes shall be replaced with a similar specimen before the end of the next following planting season (1st May to 30th September).

7. Prior to the issue of a code compliance certificate for the buildings or their occupation (whichever comes first) the consent holder shall finish the cladding, roofing and windows in the Exterior Material and Colour Scheme 1 prepared by A Studio Architects drawing No: RC-005 Rev A and dated 2023-02-09 which is attached to this consent with the council's approved plan stamp affixed to it. The approved schedule shall be adhered to for the duration of this consent.
8. Prior to the commencing any physical site works, a construction management plan shall be submitted to and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
 - i. The timing of construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - iii. The excavation works, including any necessary dewatering facilities, prepared by a suitably qualified geotechnical engineer.
 - iv. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - v. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - vi. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other road users.
 - vii. An Erosion and Sediment Control management Plan (ESCMP) is to be prepared in accordance with Auckland Council GD05 requirements for submitting to the Council for certification and the erosion and sediment control measures are to be in place for the duration of the works and details of remedial measures.
9. Provide evidence to Council that a Vehicle Crossing Permit, Traffic Management Plan (TMP) has been approved by Council's Corridor Access Engineer and a Corridor Access Request (CAR) obtained prior to vehicle crossings being constructed or upgraded.

10. The consent holder will be responsible for the repair and reinstatement of the public road (Clark Road and Kerikeri Road) carriageway, if damaged as a result of the construction of the vehicle access crossing.
11. The consent holder shall provide 24-hour notice to the Far North District Council Council's Development Engineer or delegated representative associated with conditions included in this consent.
12. All buried services within the road boundary shall be located, marked, and adequately protected prior to trenching works commencing. The consent holder shall be liable for any damage to buried assets or Council roading infrastructure.
13. The consent holder is to establish and mark the location of the boundary pegs and mark all property boundaries adjacent to the proposed earthworks. No authorisation is given for works on legal road or on private property other than the lot subject to the land use consent.
14. Prior to any private or public infrastructure works commencing and prior to occupation of the dwellings, the consent holder shall submit plans and details of all works, that have been certified by a Chartered Professional Engineer by way of Producer Statement (PS1), for the approval of Far North District Council. Such works are to be designed in accordance with Far North District Council: Engineering Standards & Guidelines 2004 – Revised 2009 and NZS 4404:2010 to the approval of the Development Engineering Officer or their delegated representative unless deviations are approved through an engineering plan approval.

Plans are to include but are not limited to:

- i. Detailed engineering designs, plans and drawings of all new stormwater infrastructure within the site, in accordance with the requirements of the FNDC Engineering Standards 2004-Revised 2009. The designs, plans and drawings are to include details of all new connection and discharge points to the existing public stormwater network. Engineering designs, plans and drawings are to include details of underground tanks and above ground attenuation tanks. Stormwater management and attenuation designs shall reference the recommendations of CKL Engineering and Infrastructure Report dated February 2023 submitted with the application. The design is to be supported by a geotechnical assessment prepared by a chartered professional engineer with geotechnical expertise.

Advice Notes:

Stormwater runoff from new buildings, accessways, parking areas and other impermeable surface areas is to be attenuated back to pre-development levels via a combination of underground detention tanks and retention for up to and including the 10% AEP storm events.

The new stormwater system within the site shall remain in private ownership. Low impact design principles must be incorporated into the design of the parking areas and other impermeable surfaces (e.g. grassed swale drains, rain gardens, etc.)

Overland/secondary flowpaths capable of accommodating the 1% AEP storm event (including existing downstream flowpaths of the proposed development) are to be provided. Diversion or filling in of existing overland flowpaths shall not cause or worsen flooding effects on downstream properties. Overland/secondary flowpaths shall not cause nuisance or flooding to surrounding properties.

- ii. Detailed engineering designs, plans and drawings of all new wastewater infrastructure in accordance with the requirements of the FNDC Engineering Standards 2004-Revised 2009. Wastewater designs shall reference the recommendations of CKL Engineering and

Infrastructure Report dated February 2023 and submitted with the application. Minimum pipe gradients, alignments, and material specifications in accordance with the requirements of the FNDC Engineering Standards shall be included in the construction drawings of the wastewater system.

Manhole specifications and details of all wastewater connection points shall also be included within the construction drawings. All new wastewater lines (excluding connections) shall be a minimum diameter of 150mm.

- iii. Detailed engineering designs, plans and drawings of all new water supply infrastructure in accordance with the requirements of the FNDC Engineering Standards 2004-Revised 2009. The locations of all water meters are to be clearly shown on the drawings and plans. Engineering designs, plans and drawings shall include details of a backflow prevention device in accordance with the FNDC Engineering Standards. Water supply designs shall reference the recommendations of CKL Engineering and Infrastructure Report dated February 2023 and submitted with the application.

Hydrant testing shall be undertaken to ensure adequate pressure and flows are achieved from the public reticulation in accordance with the FNDC Engineering Standards and NZS 4509:2008. Alternative firefighting water supplies are to be specifically approved by an authorized representative of Fire and Emergency NZ

The new water supply system within the site shall remain in private ownership.

A backflow preventor is to be included with the installation of the bulk water meter to Units 1-8. The design of the backflow preventor is to comply with the requirements of the FNDC Engineering Standards and shall be submitted to the Council for approval.

All water meters are to be located within the roadside berms as per FNDC Engineering Standards

Each residential unit shall be provided with a rainwater collection tank to supplement water supplies from the Council water supply scheme.

Advice Note to above conditions (i-iii):

Vested wastewater, water supply and stormwater lines are not to be designed to be constructed under private accessways, driveways, retaining structures or any buildings without prior Council approval.

- iv. Detailed engineering designs (including structural designs), plans and drawings of all new road infrastructure in accordance with the requirements of the FNDC Engineering Standards 2004-Revised 2009 are to be submitted for Council approval prior to works to ensure that Clark Road achieves an Urban B standard from the roundabout to the site's vehicle crossing along the northern boundary (proposed development boundary). Design is to include a 1.8m wide footpath, along the northern side of the carriageway from the proposed vehicle crossing to the site to its current termination at termination of the existing footpath at 110 Kerikeri Road. The footpath shall be designed, in accordance with NZTA pedestrian guidance, updated stormwater infrastructure and appropriate Council's Engineering Standards including FNDC/S/3, 7 and 13
- v. Detailed engineering designs, plans and drawings for 4 secured and covered bicycle parking.
- vi. Detailed engineering designs, plans and drawings of new vehicle crossing and accessway from Clark Road. The vehicle crossing shall be designed and constructed to FNDC S/2 standards (single width commercial crossing) and include a minimum 1.2m wide footpath that is to be flush to the vehicle crossing and accessway that is designed to provide access to 3 King Street. Minimum gradients, alignments and material specifications are to be included within the *detailed engineering* drawings which includes a maximum 2% crossfall for the footpaths. The footpaths shall also be flush with the vehicular access.

Advice Note to above conditions (iv-vi):

A pre and post construction road condition assessment of haul routes on public roads in the vicinity of the site is to be undertaken.

15. The consent holder will ensure that construction vehicles are not parked on Council Roads (Clark Road, King Street and Kerikeri Road).
16. Within 6 months of completing the earthworks, vegetation cover on all exposed cut surfaces shall be re-established.
17. The consent holder shall on the completion of all vested works and prior to the occupation of any building provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the work which is to vest in Council for a minimum period of 12 months. A bond shall be provided to the value of 10% of the construction cost and held for a minimum of 12 months and released on confirmation from Council's Development Engineer that works have met any remedial or maintenance requirements.

Land Use 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. *The consent is given effect to; 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.*

General

2. *The consent holder or property owner will need to on an ongoing basis assume responsibility for the reinstatement of any permanent paving, fence or landscape feature installed within stormwater drainage and water supply drainage easements in gross. The occupier is not to seek reinstatement work or costs from Council when damaged or removed.*

General Advice Notes

Right of Objection

3. *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

4. *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. Effects of the proposal:

Under s104(1)(a) the positive and potential effects of the proposal are:

- The provision of eight new residential units in the Kerikeri township area, assisting with the shortage of housing and accommodation within the community.
- The provision of a 1.5m footpath along the site frontage which extends to the intersection provides connectivity to the town centre.
- 4 bicycle parks are provided on site for residents to use.

In addition, any potential adverse effects that may be identified are acceptable on the basis that the proposed development is provided for in the Commercial zone of the Far North District Plan with the matters requiring consent consideration, as below, not creating any significant effects of concern.

3. The application is for a Discretionary Activity resource consent as such under section 104 RMA the Council can consider all relevant matters, particularly:

Rule Number and Name	Non-Compliance Aspect
15.1.6B.1.6 Loading Spaces	The proposal has a floor area of approximately 1,000m ² and therefore two loading spaces are required, however, only one loading space is provided.
15.1.6C.1.6 Vehicle Crossing and Access Standards in Urban Zones	The vehicle crossing is proposed to be 5m wide, and therefore will not be double width or 6m.

Rule Number and Name	Non-Compliance Aspect
13.7.1 Boundary Adjustments	All Zones except the Recreational Activities and Conservation Zones – The proposed boundary adjustment will comply with the minimum lot sizes for the zoning for both 3 Clark Road and 4 King Street.

4. In regard to section 104(1)(b) of the Act, the statutory documents considered to be relevant to the application include:

- Northland Regional Policy Statement 2016,
- Operative Far North District Plan 2009,
- Proposed Far North District Plan 2022

which include reference to:

- a. Fresh and coastal water – These items are not relevant as the site relies on connection to Council’s reticulated water system. The effects on freshwater are minimised by way of NRC authorisations which relate to the discharge of wastewater, odour, and earthworks.
 - b. Indigenous ecosystems and biodiversity – These items are not relevant.
 - c. Economic potential and social wellbeing – The proposal provides a range of positive social and economic effects including the increased provision of housing in Kerikeri and employment/economic development in the construction and associated sectors.
 - d. Regional form – The proposal has been designed with a range of urban design and landscaping and amenity principles in mind. Regional form is enhanced through the proposal.
 - e. Tangata whenua –The site does not contain any known archaeological resources or cultural resource.
 - f. Natural character, features / landscapes, and historic heritage – These items are not relevant.
 - g. The proposal supports alternative transport while providing for the use of cars on site. This assists in the creation of an efficient and effective transport network and is appropriate given the proximity of the site to the commercial centre of Kerikeri.
 - h. The site is serviced by reticulated services. This development maximises the use of these services.
5. In terms of the Far North District Plan, for the following reasons the application is considered consistent with its Objectives and Policies:
- Chapter 7 – Urban Environment,
 - Chapter 7 - Section 7 – Commercial Zone,
 - Chapter 13 – Subdivision, and
 - Chapter 15 – Transportation.

Urban Environment – The proposal can be adequately serviced and results in minimal reverse sensitivity / land use compatibility issues.

Commercial Zone – Although the site is located within the Commercial zone, the immediate area is predominantly residential with residential development adjacent to the site. The activity is providing for a higher density residential development than what has previously occurred in the immediate area however, the site is located within an area of benefit. Therefore, the site can connect to council’s reticulated services for water supply, wastewater, and stormwater. The two-storey apartment block is of a scale and size permitted within the Commercial zone. The proposal is not considered to be entirely consistent with Objective 7.7.3.1 which seeks to ‘*To achieve the development of commercial areas in the District accommodating a wide range of activities that avoid, remedy or mitigate the adverse effects of activities on other activities within the Commercial Zone and on the natural and physical resources of the District*’, given it is not commercial development but it is consistent with activities that the zone provides for, that is, residential development. The proposal cannot therefore be unexpected in the zone.

Subdivision Chapter – The proposed density and subdivision design is anticipated by the District Plan. The site can be adequately serviced.

Transportation Chapter – The proposal includes appropriate provision for parking, manoeuvring, and access. The vehicle crossing and access width of 5m can operate satisfactorily for the proposal and without creating any adverse effects from being 1m less than the District Plan standard. One loading space is also sufficient to serve a development of this nature. Pedestrian access within the site is considered to be safe and efficient. The Northland Transport Agency has provided its approval for the proposed development.

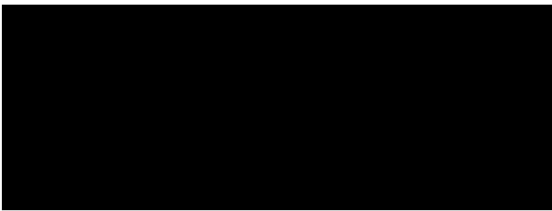
6. In terms of the NPS for Urban Development Capacity 2020, the proposed development and subdivision is envisaged by both the planning provisions of the Far North District Plan and the Objectives and Policies of the NPS. The development of this site is an efficient use of urban land and assists in meeting the housing demands for Kerikeri for current and future generations.
7. In regard to section 104(1)(c) of the Act, there are no other matters considered relevant or reasonably necessary to determine the application.
8. In terms of s106 of the RMA. The proposal does not give rise to any significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments resulting from the boundary adjustment. Accordingly, council is able to grant this subdivision consent for the boundary adjustment subject to the conditions above.
9. 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 (section 5). 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 (section 7). The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi (section 8).
10. 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 Whitney Peat – Senior Resource Planner and amended as a result of a revision to the proposal by Hannah Kane, 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 in accordance with the Resource Management Act 1991 for a boundary adjustment and to construct eight residential units at 3 Clark Road, Kerikeri in the Commercial and Residential zones of the Far North District Plan as a Discretionary Activity.



Alan Watson

Date: 1 June 2023

RMA Commissioner

Exterior Materials & Colours - Scheme 1

Roof

1 Metal roofing, corrugated or trapezoidal profile selected to suit the roof pitch.
 Finish: **Colorsteel or equivalent**
 Colour: **Gull Grey or equivalent**
Integrated continuous metal fascia and spouting system including downpipes in the same colour and finish to match roofing.

Cladding

2a Type: Vertical weatherboards
 Colour: **Resene 'Triple Sea Fog' or equivalent**

2b Type: Horizontal weatherboards
 Colour: **Resene 'quarter ironsand' or equivalent**

2c Type: Brick Veneer
 Colour: **Austral Bricks 'Tenerife' or equivalent**
 Grout: Rolled, grey mortar

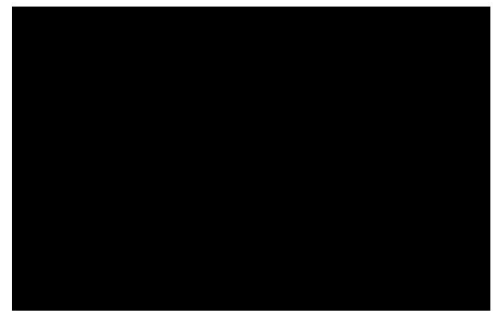
Joinery

3 Nominal 40mm aluminum joinery suite with clear double glazing to living spaces and bedrooms and obscure glazing to Bathrooms & Ensuites. (Opalucet or Etchlite or similar)
 Finish: **Powder coated**
 Colour: **Matt Black**

5 Solid core timber paint finish or aluminum powder coated with a minimum leaf width of 910mm. Etchlite of similar glass panels.
 Colour: **Resene 'Sea Fog' or equivalent**

Balustrade

6 Perforated sheet metal 'Marrakech' or similar



RESOURCE CONSENT

These drawings, and all parts thereof, are copyright. Final design and detail may vary.
 1 Written dimensions are to be used
 2 Do not scale dimensions from drawings
 3 Verify all dimensions and levels on site prior to commencing any work
 4 All discrepancies are to be referred to the design office for clarification

Project Name
3 Clark Road Development
 for Gemscott Limited
 Drawing Title
Exterior Material and Colour Scheme 1

Project Address
 3 Clark Road, 0230, Kerikeri

Drawing Scale @ A1 =
 1 : 50
 Half scale for reduced A3 drawings

Revision & Date
 A Resource Consent 2023-02-09
 B Resource Consent 2023-05-23

SKHY Level 4,
 38 Khyber Pass Road,
 Grafton, Auckland
 09 302 3689
 PO Box 44376
 Point Chevalier
 Auckland 1022
 www.astudioarchitects.com

Drawing No: **RC-005** Revision **B**
 Project No: 2212
A STUDIO ARCHITECTS



Te Tira Tukuiho Hei Oranga Taiao
Gemscott Limited
Revision 4

5 Clark Road, Kerikeri
7 Clark Road, Kerikeri
18.10.2023



Metal Roof and front door
Colorsteel Matte Black



Joinery
Matt Black



Vertical weatherboards
Resene Triple Masala
LRV 10



Horizontal weatherboards
Resene Sandstone
LRV 24

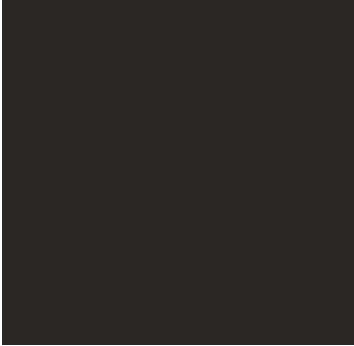


Moondust Brick
Rockhampton brick accent –external corners, mortar to colour match
Moondust brick

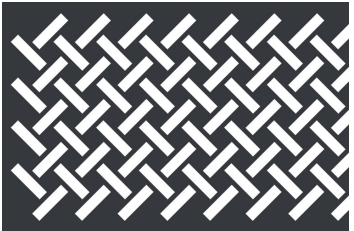
Exterior Materials and Colours Scheme 1



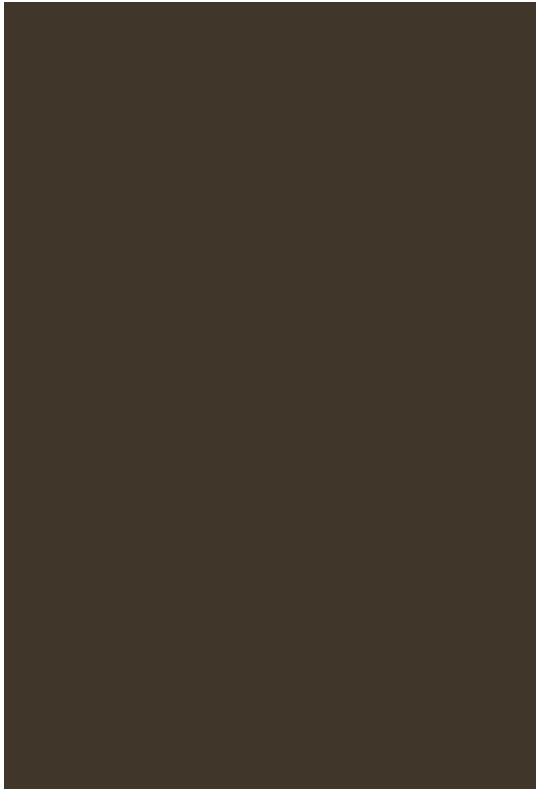
Metal Roof and front door
Colorsteel Matte Black



Joinery
Matt Black



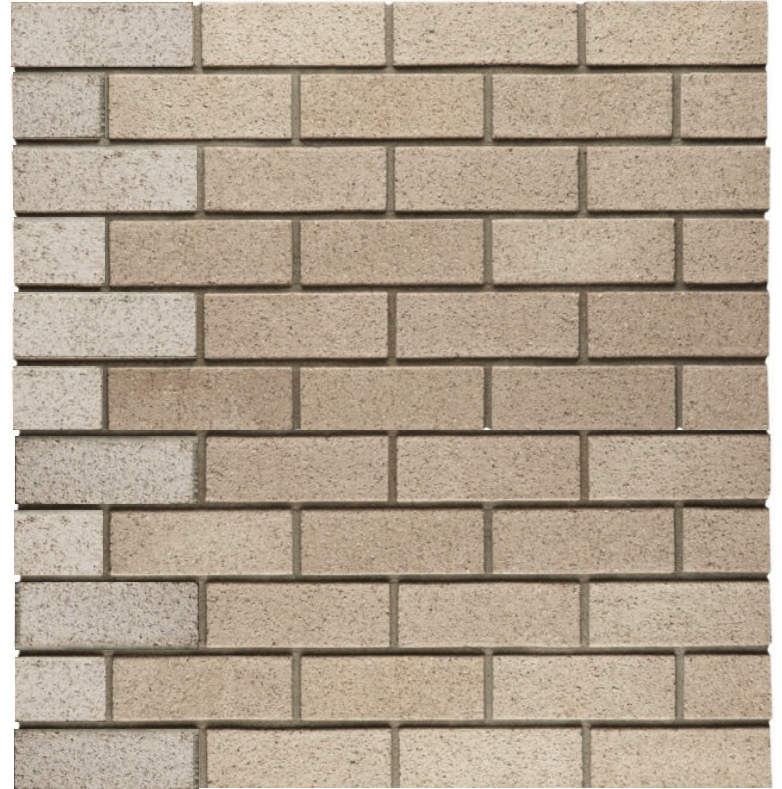
Balustrade face fixed 'basket weave'
Matt Black



Vertical weatherboards
Resene Triple Mondo
LRV 9



Horizontal weatherboards
Resene Stonewall
LRV 27



Rockhampton Brick
Moondust brick accent –external corners, mortar to colour match
Rockhampton brick

Exterior Materials and Colours Scheme 2

7 November 2023

Resource Consents Team 1
Far North District Council
Private Bag752
Kaikohe 0440

Council Reference: 2230381-RMACOM
Our Reference: A22047

Dear Sir/Madam,

Re: Section 127 Application Seeking Variation to the Combined Resource Consent for 3 Clark Road, Kerikeri

1 Introduction & Background

Far North District Council (FNDC) granted Combined Resource Consent 2230381-RMACOM to Gemscott King Limited on 1 June 2023. This resource consent included subdivision for a boundary adjustment between two sites as a Controlled Activity, and land use consent to construct eight residential units as a Discretionary Activity in the Commercial and Residential Zones.

Since the original land use and subdivision consents have been issued, there have been changes to the colour scheme of the residential units, and an application pursuant to Section 127 of the Resource Management Act 1991 is sought to incorporate these changes into the resource consent.

2 Summary of Changes

It is proposed to change Conditions 1 and 7 of Decision B (Land Use) of Combined Resource Consent 2230381-RMACOM. These changes relate to an amendment for the exterior cladding of the proposed consented buildings, and are shown in Table 1 below:

Design Element	Consented Colour	Proposed Change
Roof	Colorsteel Grey	Colorsteel Matt Black
Vertical Weatherboard	Resene 'Triple Sea Fog' Grey	Resene 'Triple Mondo' Black
Horizontal Weatherboard	Resene 'Quarter Ironsand' Black	Resene 'Stonewall' brown
Brick Veneer	Austral Bricks 'Tenerife' Black	Monier Bricks 'Rockhampton' Beige
Joinery (Windows)	Matte Black	Matte Black
Joinery (Door)	Resene 'Sea Fog' Grey	Matte Black
Ballustrade	Perforated Sheet Metal 'Marrakech' Grey	Perforated Sheet Metal 'Connex Weave' Silver

Refer to Appendix 3 for the proposed colour scheme. A copy of the consented colour scheme is also included in Appendix 4.

3 Proposed Variation to Resource Consent 2230381-RMACOM

The following conditions are proposed to be amended. Deletions are ~~stuck out~~ and additions are *italicised and underlined*.

- 1 The activity shall be carried out in accordance with the approved plans and reports attached to this consent with the Council's "Approved Stamp" affixed to them.

Author	Project No	Sheet/Drawing	Rev	Dated
A Studio Architects	2212	RC-005	BC	2023-05-23 <u>2023-11-02</u>
		RC-030	B	2023-05-23
		RC-035	B	2023-05-23
		RC-040	B	2023-05-23
		RC-042	A	2023-05-23
		RC-044	A	2023-05-23
		RC-048	A	2023-05-23
		RC-070	AC	2023-05-23 <u>2023-11-02</u>
		RC-071	AC	2023-05-23 <u>2023-11-02</u>
		RC-080	A	2023-05-23
		RC-084	A	2023-05-23
		RC-1210	A	2023-05-23
		RC-1211	A	2023-05-23
		RC-1225	A	2023-05-23
		RC-1226	A	2023-05-23
Greenwood Associates		1419/02 – General Arrangement Landscape Plan		24/05/23
		1419/03 – Planting Plan		24/05/23
		1419/04 – Plant Palette		24/05/23
		1419/05 – Hardscape Plan		24/05/23
		1419/06 – Fencing Plan		24/05/23

- 7 Prior to the issue of a code compliance certificate for the buildings or their occupation (whichever comes first) the consent holder shall finish the cladding, roofing and windows in the Exterior Material and Colour Scheme ~~12~~ prepared by A Studio Architects drawing No: RC-005 Rev ~~AC~~ and dated ~~2023-02-09~~2023-11-02 which is attached to this consent with the council's approved plan stamp affixed to it. The approved schedule shall be adhered to for the duration of this consent.

4 Assessment of Environmental Effects

Pursuant to Section 127(3)(a) of the RMA, for an application to change or cancel consent conditions, Sections 88 to 121 apply as if the application is a discretionary activity. Accordingly, the **discretionary activity** status applies for assessment, where there are no restrictions on matters to assess. This proposed variation also does not generate any additional non-compliance with the relevant standards and terms of the Operative District Plan.

The proposal will retain variation in materials, with changes limited to their colour. These changes will retain a modern variation of colour and complement the consented landscaping. The visual interest of these residential units shall be maintained, and visual dominance reduced. Overall, the character and amenity values of the Residential and Commercial zones shall be maintained, and the adverse effects shall be no more than minor in this regard.

The proposal involves no changes to the overall layout, density, infrastructure or traffic arrangements, and any other adverse effects from these changes are also considered to be no more than minor.

5 Resource Management Act 1991

Section 127 – Change / Cancellation of Consent Conditions

This application is made pursuant to section 127(1) of the RMA and seeks to vary the approved combined land use and subdivision consent.

Pursuant to section 127(4) of the RMA, it is submitted that no person will be adversely affected by the changes proposed under this application. 2230-381-RMACOM proceeded without notification and therefore no persons submitted. For the reasons described in Section 4 above, it is considered that the proposed changes will maintain character and amenity values and it is considered that adverse effects are less than minor. Accordingly, no persons will be adversely affected by the proposed changes.

Regarding the relevant provisions of the Far North District Plan, it is considered that the proposal is consistent with these as the changes retain the variation of materials and colours to promote visual interest and avoid visual dominance. In particular, the proposed changes are consistent with Objective 7.3.4 of the operative plan, and MUC-O2 of the proposed plan.

The proposed changes will maintain or enhance amenity values, giving effect to Section 7(c) and therefore Part 2 overall.

6 Conclusion

Pursuant to Section 127 of the Resource Management Act 1991, it is proposed to change Conditions 1 and 7 of resource consent 2230-381-RMACOM to incorporate changes to the consented colour scheme of the residential units.

Any actual or potential effects on the environment that may arise from granting consent to the proposed resource consent variation are considered minor. No parties are considered to be affected by the proposed variation to consent.

It is therefore requested that Council grants consent for the variation to resource consent 2230381-RMACOM on a non-notified basis.

Please do not hesitate to contact the undersigned should you have any questions.



Milan Covic
Intermediate Planner



Sarah Robson
Principal Planner

Appendices Enclosed:

Appendix 1: Form 9

Appendix 2: Record of Title

Appendix 3: Proposed Colour Scheme

Appendix 4: Approved Resource Consent 2230-381-RMACOM

Appendix 5: Consented Colour Scheme