

Application for change or cancellation of resource consent condition (S.127)

(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](#).

1. Pre-Lodgement Meeting

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? _____

2. Type of Consent being applied for

☒ Change of conditions (s.127)

3. Consultation:

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

4. Applicant Details:

Name/s:

O'Rourke Business Trust

Email:

Phone number:

Work

Home

Postal address:

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

PO Box 268, Kaitaia

Postcode

0481

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:

Bay of Islands Planning Ltd - Steven Sanson

Email:

Phone number:

Home

Postal address:

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

Postcode

0247

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:

Lynda Dods / David & Angela O'Rourke

Property Address/
Location:

Jacenth Road, Peria

Postcode

7. Application Site Details

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

Name/s:

Lynda Dods / David & Angela O'Rourke

Site Address/
Location:

Postcode

Legal Description:

P

Val Number:

Certificate of title:

NA38C/897 [Dods] ; O'Rourke = Various - see attached RoT's

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.

Name/s: (please write in full)

Refer attached

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

Fees Information:

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

Declaration concerning Payment of Fees:

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

Name: (please write in full)

Steven Sanson

Signature: (signature of bill payer)

Date 23-Sep-2025

MANDATORY

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.

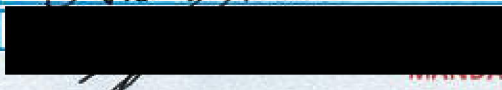
Name/s: (please write in full)	O'Rourke Business Trust	
Email:	angelaorourke@xtra.co.nz; david@osgroup.co.nz	
Phone number:	Work 0276297296 & 0274968609	Home
Postal address: (or alternative method of service under section 352 of the act)	PO Box 268, Kaitaia	
	Postcode	0481

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 write in full)	David O'Rourke	
Signature: (signature of bill payer)		Date 4/7/25

Bay of Islands Planning Ltd

Kerikeri House
Suite 3, 88 Kerikeri Road
Kerikeri

Email – steve.sanson@bayplan.co.nz Website – www.bayplan.co.nz

22 August 2025
Far North District Council
John Butler Centre
Kerikeri

Application for consent condition variation s127 – Proposal to change conditions of RC 2230521-RMASUB

Please find attached a s127 application in relation to a proposed variation of a consent condition associated with subdivision consent RC 2230521-RMASUB.

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

Yours sincerely,



Steven Sanson
Consultant Planner

1.0 Applicant & Property Details

Item	Details
Applicant	O'Rourke Business Trust
Address for Service	C/O Steven Sanson, Bay of Islands Planning Ltd, Suite 3, 88 Kerikeri Road, Kerikeri, steve.sanson@bayplan.co.nz
Legal Description	Numerous – Please see Appendix A.
Certificate Of Title	Numerous – Please see Appendix A.
Physical Address	Jacento Road, Peria.
Site Area	Varies as per attached Records of Title
Owner of the Site	Helen Dods & David & Angela O'Rourke
Operative District Plan Zone	Rural Production
Proposed District Plan Zone	Rural Production

2.0 Summary of Proposal

Item	Details
Proposal	<p>The proposed variation consists of a small boundary adjustment involving Lot 1 and Lot 2, which facilitates the inclusion of a new lot, designated as Lot 14.</p> <p>The key components of this variation are:</p> <ul style="list-style-type: none"> A boundary shift between the consented Lot 1, Lot 2, and the adjacent property (Allotment 263 Parish of Maungataniwha) to create Lot 14. <p>This change is detailed on the updated scheme plans prepared by Von Sturmers, dated September 2025.</p> <p>In reviewing the decision, Condition 2a is also sought to be amended.</p>
Background	<p>The original resource consent granted approval for a multi-lot subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063 & Lot 1 DP 192100, creating Lots</p>

	<p>1-13. The decision was based on the scheme plan prepared by Von Sturmers, referenced as dated May 23.</p> <p>The application was a Non-Complying Activity subdivision activity with associated land use breaches in Chapter 15 of the Operative District Plan.</p>
Reason for Application	<p>The purpose of the proposed boundary adjustment is to rationalise the legal access for Lot 1 and Lot 2.</p> <p>The variation ensures that the legal accessways, defined by the Right of Way easements A and B on the plan, align with the existing physical formation of the road on the ground.</p> <p>This provides a more practical and logical outcome for access to both lots.</p> <p>A boundary adjustment / variation is required to give effect to this approach which is supported by both landowners.</p> <p>The amendment of Condition 2a is sought as it is unlikely that the road will ever be vested as public, and the imposition of a 20m wide easement along A-C cuts out preferable building platforms, existing buildings and rural production uses [coffee plantation].</p>
Appendices	<p>Appendix A – Record of Titles & Instruments</p> <p>Appendix B – Copy of RC 2230521-RMASUB</p> <p>Appendix C – Proposed Scheme Plan</p> <p>Appendix D – Written Approval</p>
Consultation	<p>Neighbours consent has been provided.</p>

3.0 Introduction & Proposal

3.1 Report Requirements

This report outlines a proposal to vary the conditions of the subdivision resource consent 2230521-RMASUB, granted by the Far North District Council on 15 September 2023. The consent pertains to the property located at Lot 1, Jacenthro Road, Peria.

The proposed wording for the changed condition is outlined below.

Condition 1 [Stage 1] currently reads:

The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, referenced Lots 1 – 13 being a Proposed Subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063 & Lot 1 DP 192100, dated May 23, and attached to this consent with the Council’s “Approved Stamp” affixed to it.

The proposed variation is as follows:

The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, Sheet 1 and Sheet 2, referenced Lots 1 – ~~13~~ 14 being a Proposed Subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063, & Lot 1 DP 192100, & Pt Lot 2 DP 81936 dated September 25 ~~May 23~~, and attached to this consent with the Council’s “Approved Stamp” affixed to it.

Condition 2a is proposed to be deleted as below:

All easements in the memorandum to be duly granted or reserved. ~~Easements A, B and C should be a minimum width of 20m to allow for future vesting of the road formation should this be deemed necessary.~~

Note: It is unclear whether Easement L is necessary for this subdivision and therefore may be revised at the discretion of the applicant.

Condition 6 [Stage 2] is proposed to be amended as Condition 1 as follows:

The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, Sheet 1 and Sheet 2, referenced Lots 1 – ~~13~~ 14 being a Proposed Subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063, & Lot 1 DP 192100, & Pt Lot 2 DP 81936 dated September 25 ~~May 23~~, and attached to this consent with the Council’s “Approved Stamp” affixed to it.

3.2 Rationale

The physical formation of access does not currently align with legal boundaries and the boundary adjustment variation proposed allows for legal and physical formations to

align which is an efficient approach that is agreed to by both landowners involved in the adjustment.

The amendment of Condition 2a is sought as it is unlikely that the road will ever be vested as public, and the imposition of a 20m wide easement along easement ROW's A-C removes preferable building platforms, existing buildings and rural production uses [coffee plantation].

The accessway serves a finite number of lots (originally 13) within a single subdivision. It's a private access arrangement, not a strategic through-road. There is no logical reason for it to become a public road, as it doesn't connect to a wider network or serve any public purpose beyond this specific development.

The subdivision still offers reasonably large easement widths but is hard to meet the 20m width overall across the three areas, so where appropriate the easement widths are near or close to the 20m originally imposed.

3.3 Application Process

An application under s127 is assessed as a discretionary activity, considering only the effects of the proposed change or cancellation.

The original consent was processed on a non-notified basis, and it is considered that the proposed change to the condition can also be processed without notification.

3.4 Effects

The potential adverse effects to be assessed are those arising from the deferral of the access upgrade.

- **Boundary Adjustment:** Both parties agree to the boundary adjustment and there are no effects arising as it simply aligns physical road formation with legal boundaries. The matters of Chapter 13 are not appropriate in terms of provision of access, three waters and protection of resources as these are not affected or changed by the minor adjustment.
- **Amendment of Condition 2a:** There are no known effects from the amendment proposed. The approach was to future proof a potential public road but it is unlikely for this to ever occur. The amendment also allows for better utilisation of land for residential and rural production activities.
- **Conclusion on Effects:** The existing consent determines the 'existing environment'. The proposed change incurs no additional adverse effects beyond

what was already considered and approved. The effects are therefore less than minor.

4.0 Statutory context

4.1 Proposed District Plan Objectives and Policies

The consent was early on in notification process of the Proposed District Plan (PDP). The site is zoned **Rural Production** under the PDP.

The proposed variation is consistent with the purpose of the Rural Production zone, which is to provide for primary production activities while protecting the rural resource from inappropriate subdivision and use.

The boundary adjustment is of such a minor nature that it has no material effect on the majority of the zone's policies. A brief assessment of the most relevant policies is provided below:

- **Policy RPROZ-P4 (Maintain rural character and amenity):** The variation is a minor boundary adjustment that will be imperceptible on the ground. It involves no new buildings or changes in land use intensity and therefore fully maintains the existing rural character.
- **Policy RPROZ-P5 (Avoid incompatible land use):** The proposal does not introduce any new land uses, does not result in the loss of productive capacity, and does not alter the servicing requirements for the lots. It is therefore consistent with this policy.
- **Policy RPROZ-P6 (Avoid subdivision that...):** This policy is a key consideration.
 - The variation does not result in the loss of highly productive land; the land area being exchanged is negligible and is not highly productive.
 - Crucially, the proposal does not fragment land into smaller parcels for farming or lifestyle living. Lot 14 is created for the express purpose of being amalgamated with the adjoining Allot 263. This is a boundary rationalisation, not fragmentation.
- **Policy RPROZ-P7 (Manage land use and subdivision to address effects):** The variation is consistent with the matters listed for consideration. Notably, it improves the adequacy of roading infrastructure by ensuring the legal access aligns with the physical access. It does not create reverse sensitivity effects or lead to land sterilisation.

Overall, the proposed variation is not contrary to the objectives and policies of the PDP. It is an administrative adjustment that supports a more logical and efficient outcome for the approved subdivision.

4.2 Operative District Plan Objectives and Policies

The original decision for consent 2230521-RMASUB determined that the proposal was not contrary to the relevant objectives and policies of the Operative District Plan. This minor variation does not alter that conclusion. The proposal remains consistent with the following objectives and policies previously considered:

- **Objectives 13.3.5 & 13.3.8 (Servicing):** The variation has no impact on the ability of each lot to be serviced by on-site infrastructure or the provision of electricity.
- **Objectives 15.1.3.1 & 15.1.3.5 (Access & Traffic):** The proposal enhances the outcome sought by these objectives. By aligning the legal boundary with the physical accessway, it promotes a more efficient and logical access arrangement without altering the safety or capacity of the vehicle crossings.
- **Policies 13.4.2 & 15.1.4.1 (Access & Traffic Effects):** Conditions regarding the standard of access remain in full effect. The variation does not create any additional lots or dwellings, and therefore the traffic effects remain less than minor.
- **Policies 13.4.3 & 13.4.8 (Hazards & Water):** The small-scale nature of the land swap does not introduce or exacerbate any natural hazards, and the requirement for on-site water storage is unaffected.
- **Policy 15.1.4.6 (Design):** The variation improves the design by creating a more logical and efficient access layout, consistent with the goals of this policy

5.0 Part 2 Assessment

The proposal remains consistent with the purpose of the RMA as outlined in Part 2.

It represents the sustainable management of physical resources by enabling the subdivision to proceed while ensuring that adverse effects on the environment (the state highway network) are appropriately mitigated at the correct time.

Sections 6, 7, and 8 continue to be satisfied as they were in the original application. The proposal allows the applicants to provide for their social and economic well-being while ensuring environmental effects are managed.

6.0 Conclusion

This application seeks a minor variation under s127 to the conditions outlined above of resource consent RC 2230521.

The report assesses the effects of these changes and concludes that they will be less than minor.

The variation is consistent with the relevant objectives and policies of the Proposed District Plan and satisfies the purpose of the RMA.

We request that Council approve this application for variation and would appreciate the opportunity to review the draft conditions before a final decision is issued.

Yours sincerely,



Steven Sanson
Consultant Planner



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels**




R.W. Muir
Registrar-General
of Land

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

Identifier **NA17A/1050** **Part-Cancelled**

Land Registration District **North Auckland**

Date Issued 22 July 1969

Prior References

NA591/42

Estate	Fee Simple
Area	18.9249 hectares more or less
Legal Description	Part Allotment 37 Parish of Maungataniwha

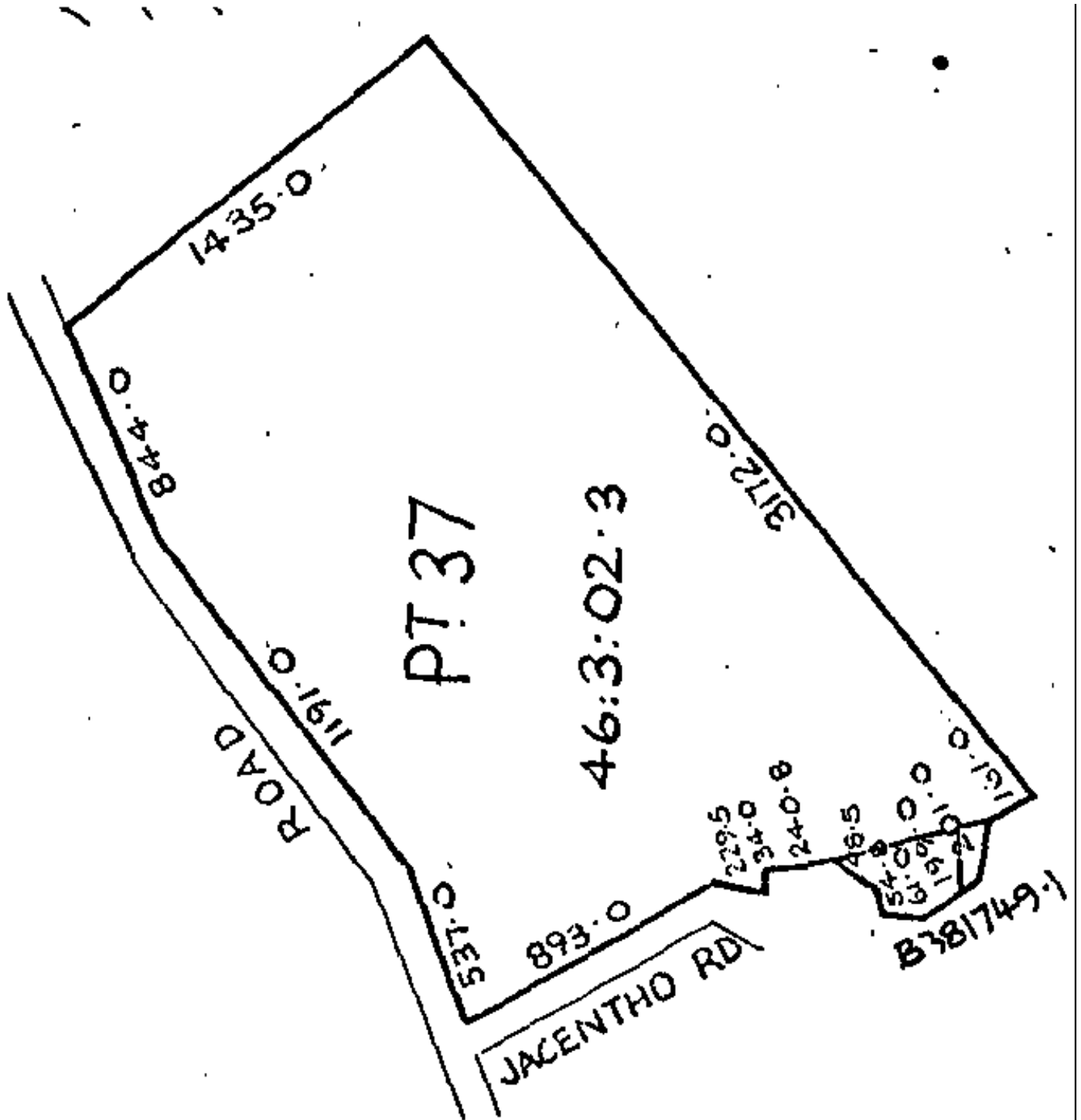
Registered Owners

David Robert O'Rourke and Angela Ngaire O'Rourke

Interests

B381749.1 Gazette Notice (New Zealand Gazette 8.11.1984, No 204, pg 4788) declaring part (524m²) to be road and vesting the same in Mangonui County Council - 15.2.1985 at 11.00 am

B381749.1 Gazette Notice (New Zealand Gazette 8.11.1984 No 204 pg 4788) declaring part (1402m²) to be land taken and when so taken to be incorporated into Certificate of Title NA38C/897 - 15.2.1985 at 11.00 am





**RECORD OF TITLE
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FREEHOLD
Limited as to Parcels**




R.W. Muir
Registrar-General
of Land

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

Identifier **NA26D/1381**
Land Registration District **North Auckland**
Date Issued 02 April 1974

Estate Fee Simple
Area 40.0638 hectares more or less
Legal Description Allotment 39 Parish of Maungatauiwha,
Eastern Portion Allotment 33 Parish of
Maungatauiwha and Part North Western
Portion Allotment 42 Parish of
Maungatauiwha

Registered Owners
David Robert O'Rourke and Angela Ngaire O'Rourke

Interests
8789545.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 14.6.2011 at 7:00 am (affects Part Allotment NW42 Parish of Maungataniwha)

for A.L.R.

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for A.L.R.

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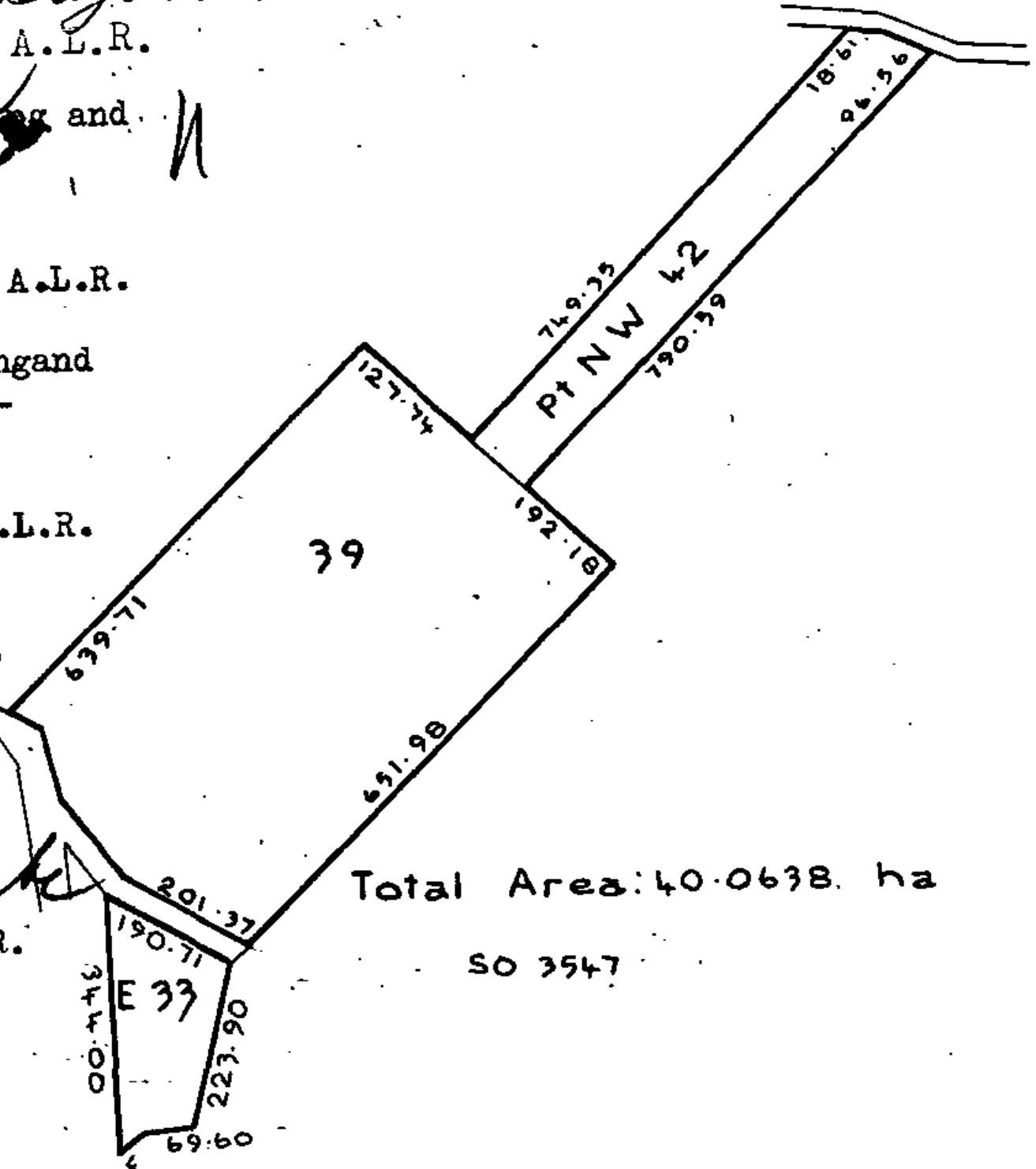
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**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

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




R.W. Muir
Registrar-General
of Land

Identifier **NA38C/896**
Land Registration District **North Auckland**
Date Issued 11 May 1977

Prior References

NA17A/1049 NA2D/403

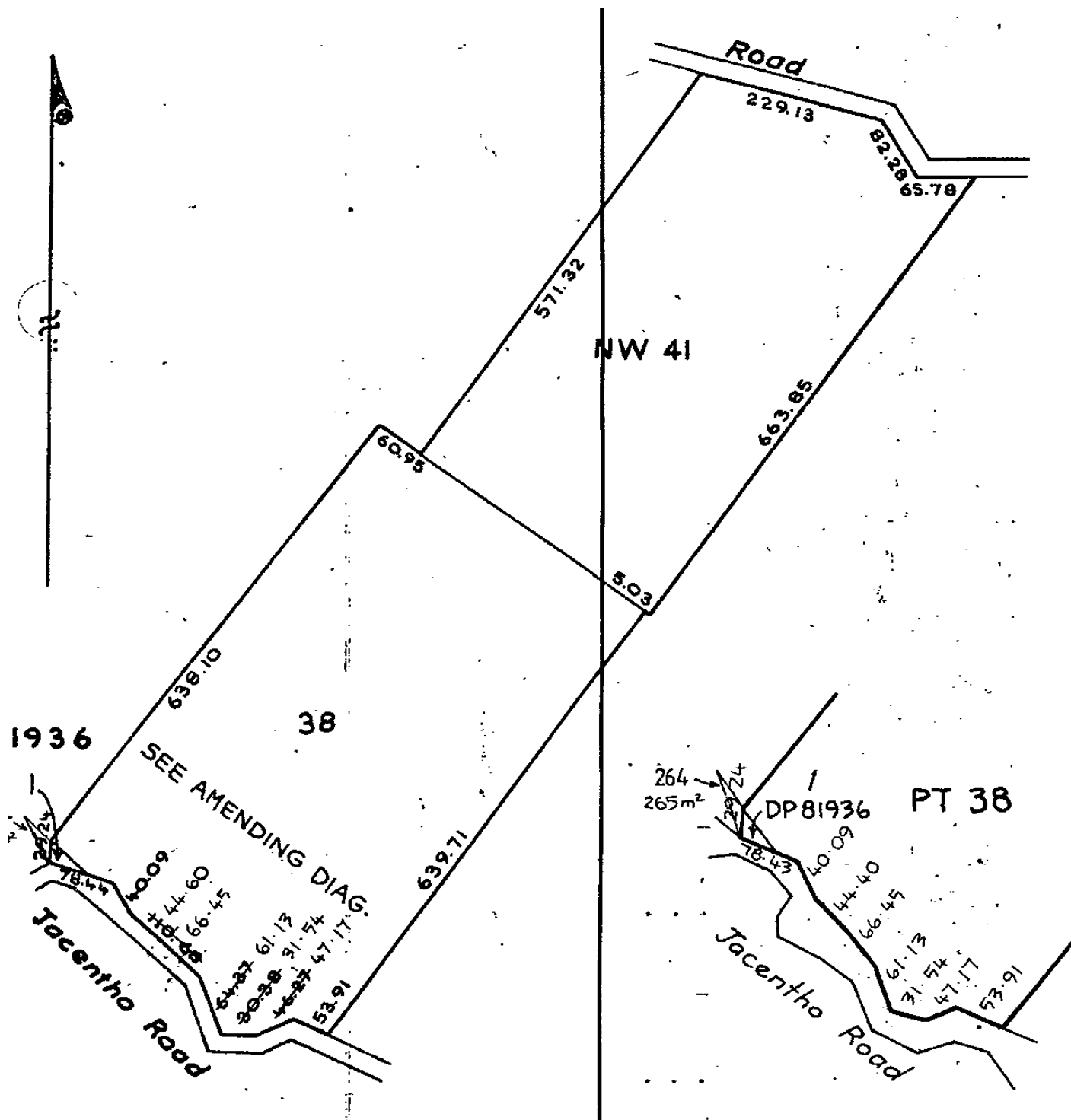
Estate Fee Simple
Area 48.6274 hectares more or less
Legal Description Allotment 38 Parish of Maungataniwha and
Allotment 264 Parish of Maungataniwha
and North Western Portion Allotment 41
Parish of Maungataniwha and Lot 1
Deposited Plan 81936

Registered Owners

David Robert O'Rourke and Angela Ngaire O'Rourke

Interests

Subject to Section 36 (4) Counties Amendment Act 1961
Subject to Section 8 Coal Mines Amendment Act 1950 (affects Lot 1 DP 81936)
B381749.1 Pursuant to Section 42 Public Works Act 1981 part Lot 2 on DP 81936 (265 M2) (38C/897) is incorporated
herein see Gazette Notice - 15.2.1985 at 11.00 am





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Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **NA38C/897**
Land Registration District **North Auckland**
Date Issued 11 May 1977

Prior References

NA17A/1048 NA17A/1049

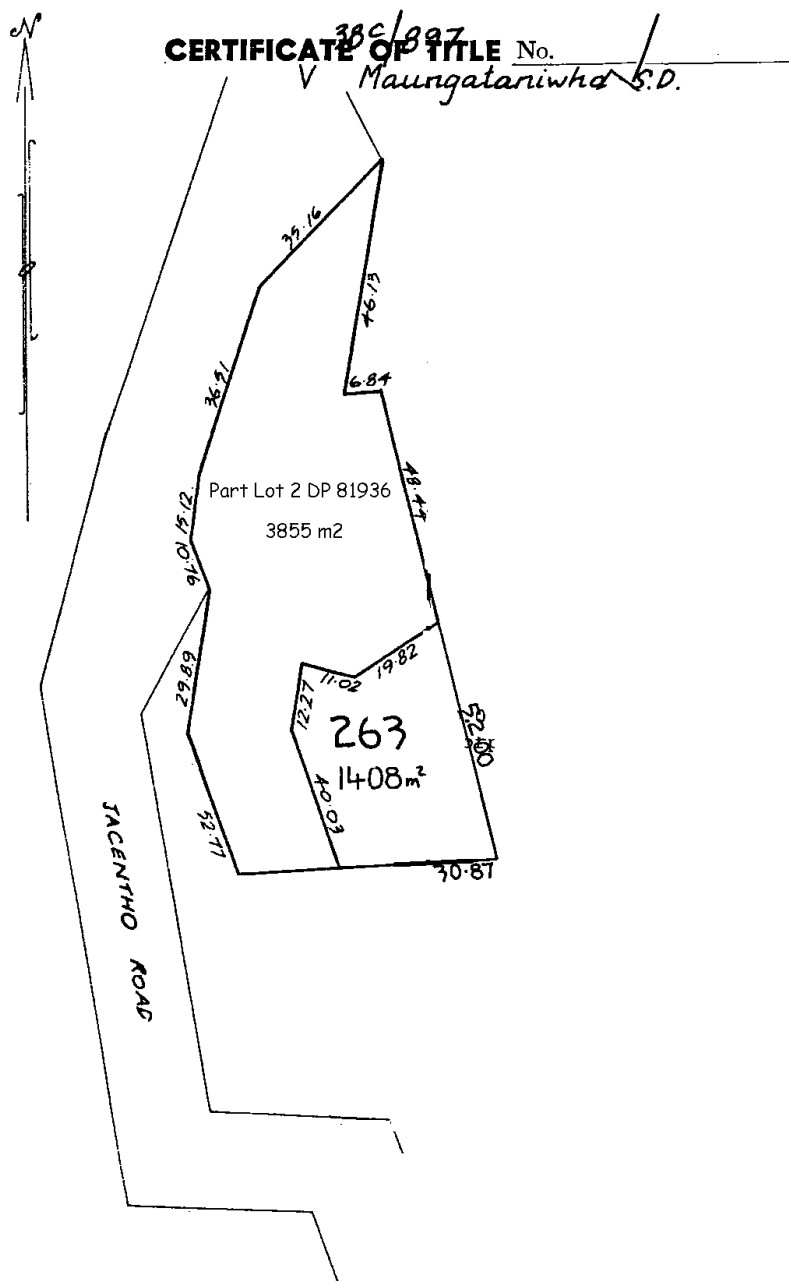
Estate Fee Simple
Area 5263 square metres more or less
Legal Description Part Lot 2 Deposited Plan 81936 and
Allotment 263 Parish of Maungataniwha

Registered Owners

Lynda Helen Dods

Interests

Subject to Section 8 Coal Mines Amendment Act 1950 (affects Allotment 258 Parish of Maungataniwha)



5804 m²
 - 1949 m² - B381749-1
 3855 m²
 1408 m² B381749-1
 5263 m²

MEASUREMENTS ARE METRIC

D.P. 81936

DIAGRAM AMENDED AS TO
 INCORPORATION OF ALLOT. 263
 MAUNGATANIWHA PARISH.

[Signature]
 District Land Registrar

15/2/85



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

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



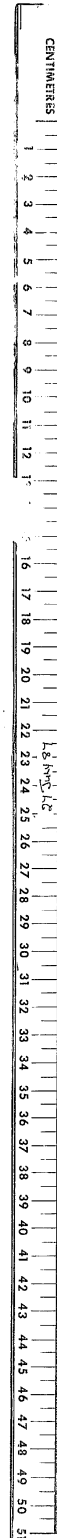

R.W. Muir
Registrar-General
of Land

Identifier **NA65C/61**
Land Registration District **North Auckland**
Date Issued 26 June 1987

Prior References
NA238/136

Estate Fee Simple
Area 160.3188 hectares more or less
Legal Description Lot 1 Deposited Plan 115063
Registered Owners
David Robert O'Rourke and Angela Ngaire O'Rourke

Interests
8789545.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 14.6.2011 at 7:00 am





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




R.W. Muir
Registrar-General
of Land

Identifier **NA121C/24**
Land Registration District **North Auckland**
Date Issued 12 August 1998
Prior References
NA763/37

Estate Fee Simple
Area 8.0937 hectares more or less
Legal Description Lot 1 Deposited Plan 192100
Registered Owners
David Robert O'Rourke and Angela Ngaire O'Rourke

Interests

8661 130 5



**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 **NA127/160**
Land Registration District **North Auckland**
Date Issued 19 May 1905

Prior References
WA 1339

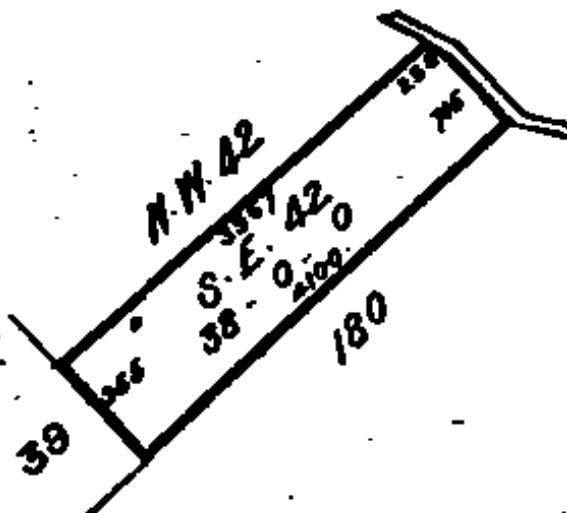
Estate Fee Simple
Area 15.3781 hectares more or less
Legal Description South Eastern Portion Section 42 Parish of
Maungataniwha

Registered Owners
David Robert O'Rourke and Angela Ngaire O'Rourke

Interests
8789545.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 14.6.2011 at 7:00 am

Image Quality due
to Condition
of Original

no record



DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

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

Applicant: David Robert O'Rourke
Council Reference: 2230521-RMASUB
Property Address: Lot 1, Jacenth Road, Peria
Legal Description: LOT 1 DP 81936 LOT 1 DP 115063 ALLOTS E33 38
39 NW41 SE42 PT 37 NW42 BLKS V IX
MAUNGATANIWHA SD LOT 1 DP 192100

Activity Description:

Activity A:

It is proposed to create 4 additional lots in the Rural Production Zone as a Non-Complying Activity.

Activity B:

To breach the Frontage to Existing Roads due to the lot design and Private Accessway Standards of the District Plan as the Right of Way will serve more than 8 sites.

Conditions

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

Stage 1 (Lots 1 - 11):

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, referenced Lots 1 – 13 being a Proposed Subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063 & Lot 1 DP 192100, dated May 23, 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. Easements A, B and C should be a minimum width of 20m to allow for future vesting of the road formation should this be deemed necessary.

Note: It is unclear whether Easement L is necessary for this subdivision and therefore may be revised at the discretion of the applicant.

- b. The areas of indigenous vegetation within Lots 3, 5, and 9 (identified as Protected Natural Areas on Council Maps) on site to be identified as areas, 'X', 'Y' and 'Z', and protected by way of bush covenant.
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. Submit plans and details of all works in condition 4 (a-e inclusive) below for the approval of Far North District Council. It is to be noted that certain works must be carried out or certified by a Suitability Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies. All plans needing design/certification by council approved IQP/CPEng will require completion of design producer statement (PS1).
 - b. Provide evidence to Council's Resource Consents Manager, or other duly delegated officer from a licensed cadastral surveyor that the Road corridor fronting Lot 1 of this subdivision complies with section 15.1.6C.1.8(d) of the Operative District Plan. If it is identified that the hereby approved subdivision has frontage to Jacenth Road where the carriageway encroaches, or is close to the subject lot or lots, the encroachment or land shall vest in Council such that either the minimum berm width between the kerb or road edge and the boundary is 2m or the boundary is at least 6m from the centreline of the road, whichever is the greater. The land to vest shall be surveyed off and vested to council for no compensation, with the consent holder bearing all costs for legalising the vesting of the road.
 - c. Provide evidence that a preferred road name and two alternatives for the road to vest have been supplied to the Community Board for approval. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.

Note: For information and advice on applying for road naming please contact the Council directly on 0800 920 029.

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 a formed access on easements A, B and C to meet that standard for rural Access in accordance with table 3-4 of the FNDC Engineering Standards 2023.

Upon completion of the works specified in condition 3(a) above, provide certification of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans (PS4).

- b. Provide a formed and metalled vehicle crossing to easement B on lot 2 which complies with the Councils Engineering Standard FNDC/S/6 and 6D and section 3.3.7.1 of the Engineering Standard and NZS4404:2010.
 - c. Provide a formed and metalled single width entrance to each Lot which complies with the Councils Engineering Standard FNDC/S/6, and section 3.3.7.1 of the Engineering Standard and NZS4404:2010.
 - d. Provide formed and metalled private access on ROWs G and H to 3m finished metalled carriageway width with passing bays provided to comply with the Far North District Plan. 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.
 - e. Provide formed and metalled private access on ROWs H, I, J and K to 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.
 - f. Provide to Council written confirmation from a Licenced Cadastral Surveyor that the access carriageway is fully contained within the easements provided for access.
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.

[All Lots]

- b. In conjunction with the construction of any building requiring building consent and associated impermeable surface on the Lot, the lot owner shall submit for approval of councils Consent Engineer or designated representative, a stormwater management report and design for stormwater mitigation measures. The report shall be prepared by a suitably qualified and experienced practitioner, noting the restrictions and recommendations included in the site suitability report, prepared by Lands and Survey Engineering (reference 106898), dated 19 July 2022 and provided with Resource Consent 2230521-RMASUB.

[All Lots]

- c. In conjunction with the construction of any building which includes 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 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 Permitted Activity Standards.

[All Lots]

- d. 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 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.

[All Lots]

- e. Electricity and Telecommunications supply is not a condition of this consent, and power has not been reticulated to the boundary of the Lot. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

[All Lots]

- f. No occupier of the lot, contractor and/or visitor shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as mustelids, cats or dogs) which have the potential to be kiwi predators.

[All Lots]

- g. No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids). A maximum of two working farm dogs as defined in the Dog Control Act 1996 are exempt from this condition if they are:

- a) micro-chipped,
- b) within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area,
- c) kept in a kennel or tied up at night,
- d) For any dog written confirmation that the dog has current kiwi aversion training certification along with the expiry date for the certification.

Prior to the keeping of introduction of any working dog to the site the occupier must provide the following to the Councils Resource Consent Monitoring Officer:

- a) A photograph of the dog,
- b) Written confirmation that the dog(s) have been micro-chipped,
- c) A plan showing the extent of the dog proof fenced area.

[Lot 5]

- h. The owner shall preserve the indigenous trees and bush on Lots, 3, 5 and 9, identified as indicated on the survey plan as area 'X', 'Y' and 'Z' and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

[Lots 3, 5 and 9]

- i. In conjunction with the construction of a building that requires building consent, the Lot owner shall submit for approval of Council's Consent Engineer or designated representative, the building platform design. The building platform design shall be prepared by a suitably qualified and experienced practitioner, noting the recommendations included in the site suitability report, prepared by Lands and Survey Engineering (reference 106898), dated 19 July 2022 and provided with Resource Consent 2230521-RMASUB.

[Lot 7]

Stage 2 (Lots 12 and 13):

6. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, referenced Lots 1 – 13 being a Proposed Subdivision of Pt Allots 37, 38, NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063 & Lot 1 DP 192100, dated May 23, and attached to this consent with the Council's "Approved Stamp" affixed to it.
7. All conditions contained in Stage 1 of the subdivision shall be carried out prior to implementing Stage 2.

Survey plan approval (s223) conditions

8. 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.
9. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. Submit plans and details of all works in conditions 10 (a)-(c) below for the approval of Far North District Council. It is to be noted that certain works must be carried out or certified by a Suitability Qualified Person (IQP) or Chartered Professional Engineer (CPEng) working within the bounds to their assessed competencies. All plans needing design/certification by council approved IQP/CPEng will require completion of design producer statement (PS1).

Section 224(c) compliance conditions

10. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Provide formed and metalled access on ROW D and E to 3m finished metalled carriageway width with passing bays provided to comply with the Far North District Plan. 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.
 - b. Provide formed and metalled access on ROW F to 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.

- c. Provide a formed and metalled single width entrance to Lot 12 & Lot 13 which complies with the Councils Engineering Standard FNDC/S/6, and section 3.3.7.1 of the Engineering Standard and NZS4404:2010.
 - d. Provide to Council written confirmation from a Licenced Cadastral Surveyor that the access carriageway (Easement D & F) is fully contained within the easements provided for access.
11. 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.

[Lots 12 and 13]

- b. In conjunction with the construction of a building that requires building consent, and associated impermeable surfaces on the Lot, the lot owner shall submit for approval of Council's Consent Engineer or designated representative, a stormwater management report and design for stormwater mitigation measures. The report shall be prepared by a suitably qualified and experienced practitioner, noting the restrictions and recommendations included in the site suitability report, prepared by Lands and Survey Engineering (reference 106898), dated 19 July 2022 and provided with Resource Consent 2230521-RMASUB.

[Lots 12 and 13]

- c. In conjunction with the construction of any building which includes 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 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 Permitted Activity Standards.

[Lots 12 and 13]

- d. 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 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.

[Lots 12 and 13]

- e. Electricity and Telecommunications supply is not a condition of this consent, and power has not been reticulated to the boundary of the Lot. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

[Lots 12 and 13]

- f. No occupier of the lot, contractor and/or visitor shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as mustelids, cats or dogs) which have the potential to be kiwi predators.

[Lots 12 and 13]

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. *The consent holder and future Lot owners are advised that any future development on all Lots, and any earthworks undertaken as a result of the consent conditions need to be undertaken in accordance with the relevant permitted rules and standards of the Proposed District Plan which was notified on the 27th of July 2022.*

6. *The Consent Holder is advised that they are responsible for submitting a Traffic Management Plan (TMP) and/or a Corridor Access Request (CAR) for approval by Council's Corridor Access Engineer prior to construction of works on site, and the construction of any vehicle crossing or the undertaking of any remedial works within the road reserve and to the existing public road carriageway.*
7. *It is recommended that all culverts within the subdivision are constructed with a 375mm minimum diameter RCP culvert to provide improvements from the current published FNDC Engineering Standards.*
8. *TP58 Reports must be prepared by a person who is on a list of approved TP58 writers maintained by Far North District Council. Persons on the approved list must be either a Chartered Professional Engineer or a Registered Drainlayer who has attended and passed a TP 58 writers course approved by Far North District Council.*

Reasons for the Decision

1. The subdivision is on sites which could be subdivided under the Restricted Discretionary Activity rules for subdivision. However, given there is a limitation on the number of lots in the subdivision rules and the applicant has chosen to subdivide these lots simultaneously, resulting in a Non-Complying Activity Status. Therefore, the subdivision is consistent with the receiving environment and is anticipated by the Restricted Discretionary District Plan Rules, despite the Non-Complying Activity status.
2. 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 Non-Complying activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed below are of particular relevance:

Rule # & Name	Non-Compliance Aspect
13.7.2.1 MINIMUM LOT SIZES	The subdivision does not meet the requirements of a Discretionary activity.
15.1.6C.1.1(c)	The subdivision will provide access to more than 8 sites breaching part c of this rule as more than 8 household equivalent units will be served. 9 sites.
15.1.6C.1.1(d)	The subdivision will provide access to more than 9 sites.
15.1.6C.1.1(b) FRONTAGE TO EXISTING ROADS	Jacentho Road does not meet Council's required standards.

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 subdivision will be consistent with the existing environment and the lots are of a size which will not detract from rural amenity. The proposal will not have and is not likely to have more than minor adverse effects on the wider environment.
 - b. Vegetation protection has been imposed over the indigenous vegetation on site, with restrictions on cat/dog ownership to limit predation on indigenous flora and fauna.
 - c. Sufficient provision has been made for legal access to each allotment to be created by the subdivision.
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. Operative Far North District Plan 2009,
 - b. Proposed Far North District Plan 2022.

Operative Far North District Plan

The following objectives and policies of the District Plan have been considered:

a) Objectives:

13.3.5: Each Lot will have access to on-site services at development stage and as the result of the subdivision conditions and consent notices.

13.3.8: The provision of electricity to the new Lots is the responsibility of the Lot owners and is required by way of consent notice.

15.1.3.1: the subdivision provides for access to each allotment , minimising the adverse effects of traffic on the natural and physical environment.

15.1.3.5: the activity will promote safe and efficient movement and circulation of vehicular traffic as all vehicle crossings will be designed to the FNDC engineering standards including adequate sight distances.

b) Policies:

13.4.2: Conditions to upgrade the existing access and Right of Way have been imposed to ensure that vehicular access to the site is provided.

13.4.3: Natural hazards have been assessed as part of this activity, and consent notices have been imposed which requires further assessment at development stage.

13.4.8: The provision of water storage is a requirement of this activity by way of consent notice.

15.1.4.1: the traffic effects of activity has been evaluated in making this decision and it is considered any effects on the road network will be less than minor.

15.1.4.6: the activity has been designed in a manner which is consistent with these goals, particularly as the vehicle access point will align with the existing environment. The proposed lots will be able to provide any parking and manoeuvring.

The proposal is not contrary to the relevant objectives and policies of the District Plan.

Proposed Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Proposed District Plan as the subject site does not contain any highly productive land and is not in an environment where reverse sensitivity effects are likely to arise. The subdivision will not exacerbate natural hazards and each Lot is able to be serviced on site.

The PDP has only been recently notified and as such there is potential for change as it goes through the statutory process. As such despite the different outcomes anticipated by the PDP little weight is given to these provisions.

6. In regard to section 104(1)(c) of the Act and following other matters are relevant:

Given the application is a Non-Complying activity, potential precedent effects and plan integrity are relevant to the assessment.

As discussed above, the subdivision is on sites which could be subdivided under the Restricted Discretionary Activity rules for subdivision. However, the subdivision is anticipated by the Restricted Discretionary District Plan Rules, despite the Non-Complying Activity status. Overall, it is considered the approval of the proposal will not undermine the integrity of the District Plan as the activity will produce less than minor effects, if any, and will not set an undesirable precedent.

7. In regard to section 104D of the Act the activity meets both tests as any adverse effects arising from this proposed activity will not be more than minor, and the activity will not be contrary to the objectives and policies of the Operative District Plan. Therefore, consent can be granted for this non-complying activity.
8. In regard to Section 106 of the Act, the management of significant risks from natural hazards is relevant.

The activity will be consistent with these matters given that any structure on the land is unlikely to be subject to material damage by erosion, subsidence or slippage from any source as is confirmed by the Site Suitability Report prepared by Lands and Survey Ltd submitted with the application.

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. 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.

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 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.

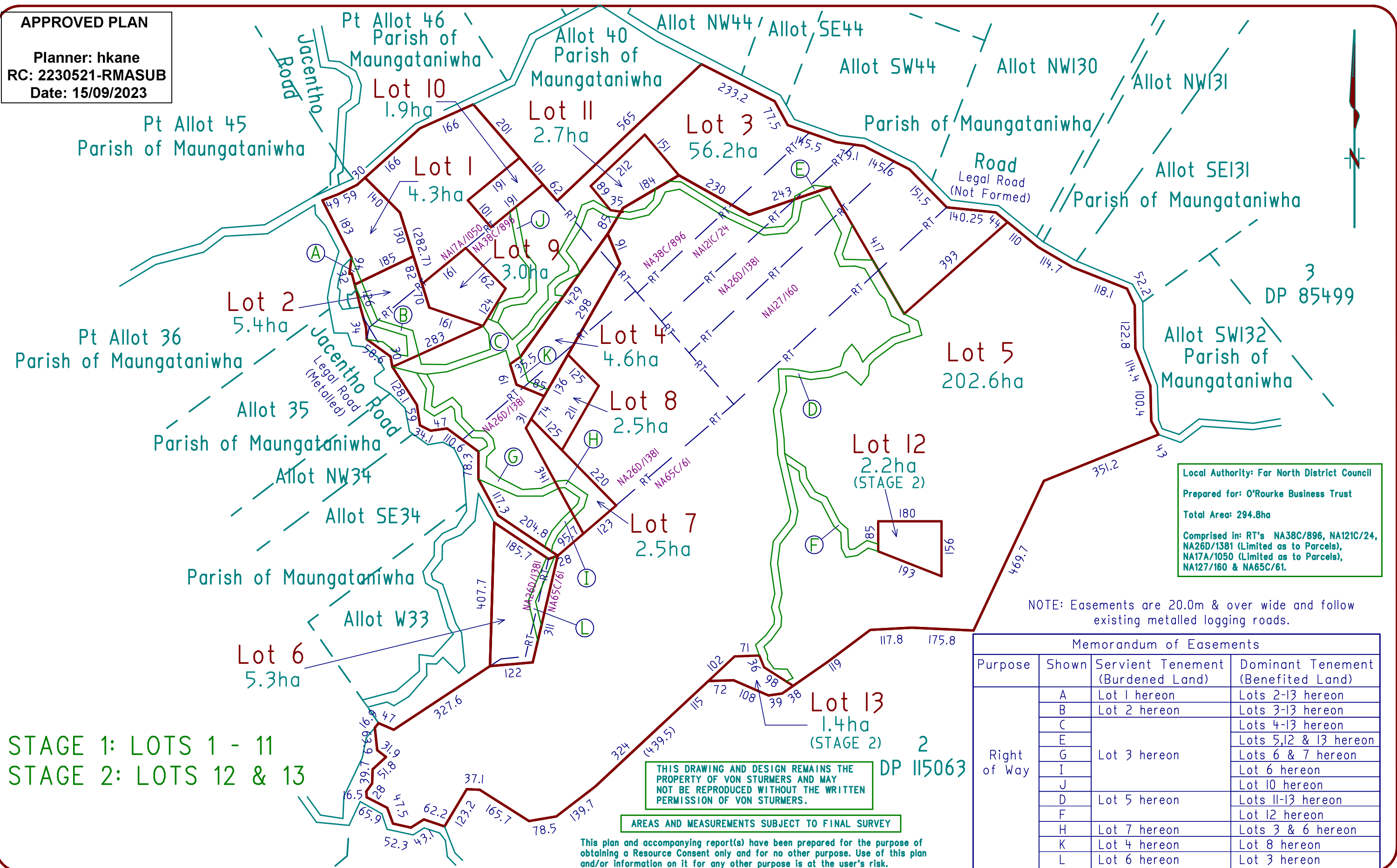


Simeon Mclean
Team Leader Resource Consents

Date: 15 September 2023

APPROVED PLAN

Planner: hkane
RC: 2230521-RMASUB
Date: 15/09/2023



STAGE 1: LOTS 1 - 11
STAGE 2: LOTS 12 & 13

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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
Prepared for: O'Rourke Business Trust
Total Area: 294.8ha
Comprised in: RT's NA38C/896, NA121C/24,
NA26D/1381 (Limited as to Parcels),
NA17A/1050 (Limited as to Parcels),
NA127/160 & NA65C/61.

NOTE: Easements are 20.0m & over wide and follow
existing metalled logging roads.

Memorandum of Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right of Way	A	Lot 1 hereon	Lots 2-13 hereon
	B	Lot 2 hereon	Lots 3-13 hereon
	C	Lot 3 hereon	Lots 4-13 hereon
	E		Lots 5,12 & 13 hereon
	G		Lots 6 & 7 hereon
	I		Lot 6 hereon
	J		Lot 10 hereon
	D	Lot 5 hereon	Lots 11-13 hereon
	F	Lot 7 hereon	Lot 12 hereon
	H		Lots 3 & 6 hereon
	K		Lot 8 hereon
	L	Lot 6 hereon	Lot 3 hereon

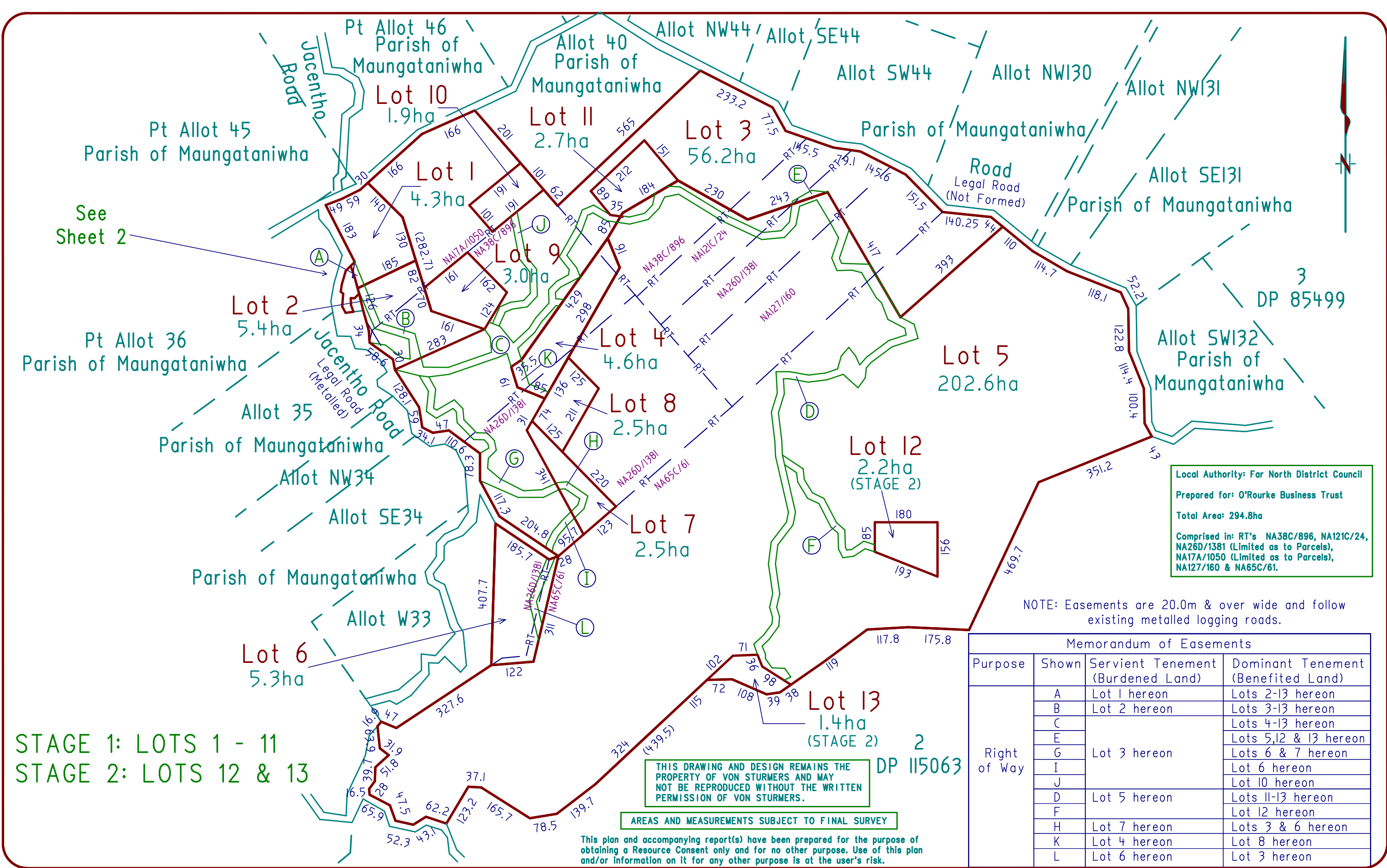


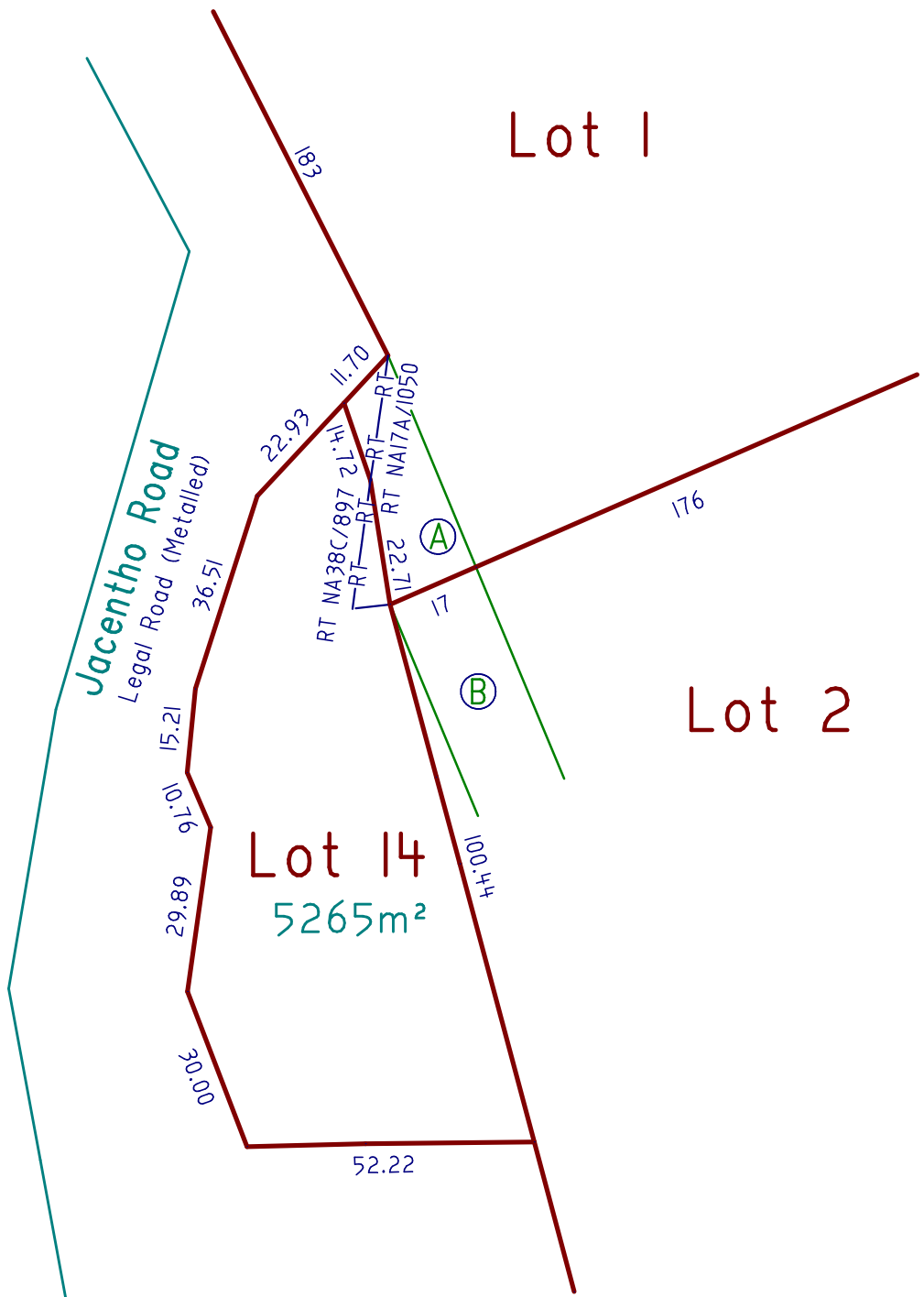
VON STURMERS
Registered Land Surveyors, Planners &
Land Development Consultants
Ph: (09) 408 6000 131 Commerce St
P.O. Box 128
Email: kaitaia@saps.co.nz Kaitaia

Lots 1 - 13 being a Proposed Subdivision of Pt Allots 37,38,NW42,
Allots E33,39,SE42 & NW41 Parish of Maungataniwha,
Lot 1 DP 81936, Lot 1 DP 115063 & Lot 1 DP 192100

	Name	Date	ORIGINAL	SHEET
Design	TY	Feb 21	SCALE	SIZE
Drawn	TY	Feb 21	1:10000	A3
Rev	SH	02-02-2022		
Rev	TY	Mar 23		
Rev	SH	May 23		

Surveyors
Ref. No:
14880
Series
Sheet of





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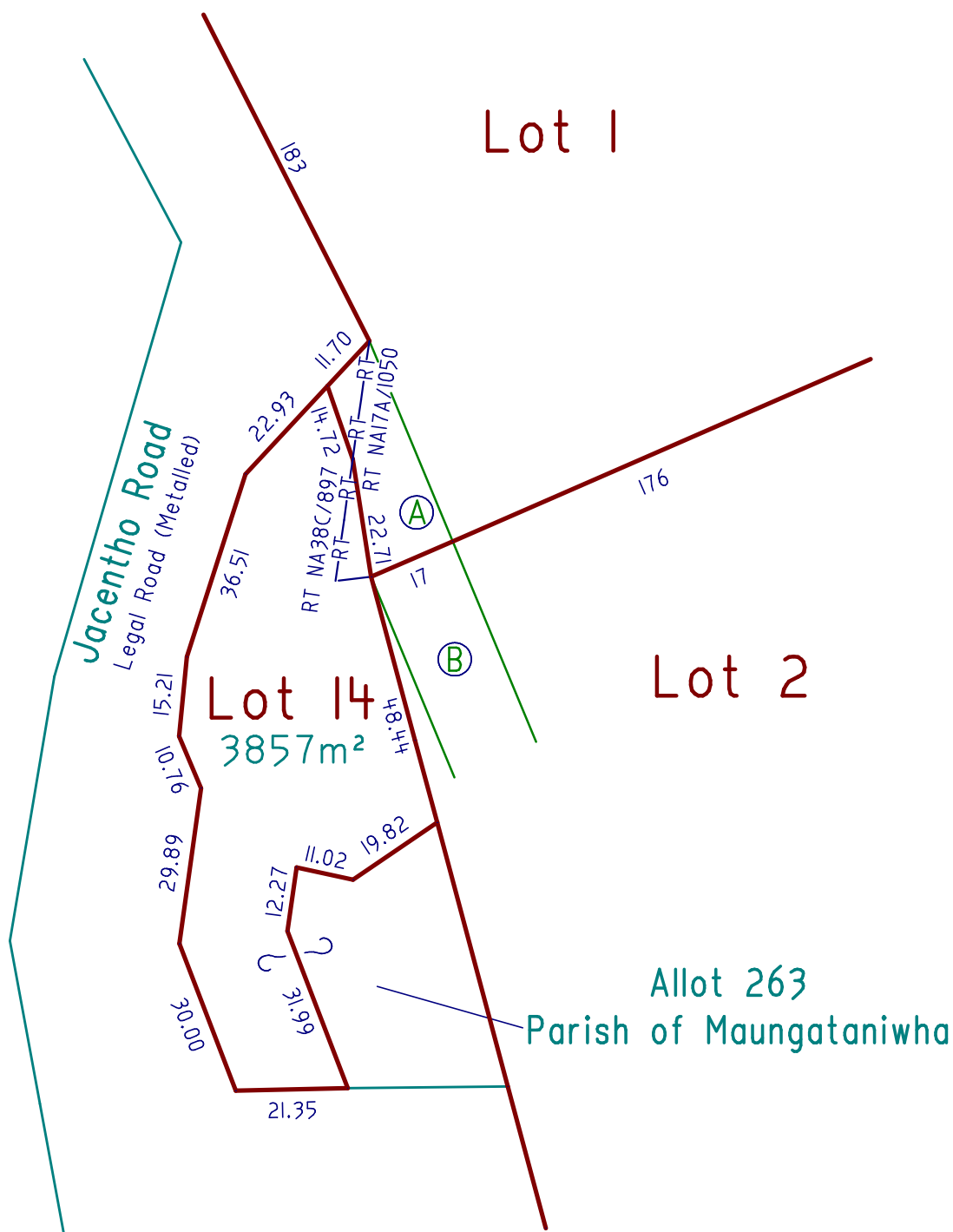
This plan and accompanying report(s) have been prepared for the purpose of
obtaining a Resource Consent only and for no other purpose. Use of this plan
and/or information on it for any other purpose is at the user's risk.

Sheet 2

Lots 1 - 14 being a Proposed Subdivision of Pt Allots 37,38,NW42,
Allots E33,39,SE42, 263 & NW41 Parish of Maungataniwha,
Lot 1 DP 81936, Lot 1 DP 115063, Lot 1 DP 192100 & Pt Lot 2 DP 81936

Amalgamation condition:

That Lot 14 hereon & Allotment 263 Parish of Maungataniwha (RT NA38C/897) be held in the same Record of Title.



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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

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Sheet 2

Lots 1 - 14 being a Proposed Subdivision of Pt Allots 37,38,NW42, Allots E33,39,SE42 & NW41 Parish of Maungataniwha, Lot 1 DP 81936, Lot 1 DP 115063, Lot 1 DP 192100 & Pt Lot 2 DP 81936



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

LYNDA HELEN DODS.

Address of proposed activity:

131 Jacenaho Rd, Peria

Legal description:

Residential Property.

Description of the proposal (including why you need resource consent):

To sell and buy an equal amount of land, changing the boundary layout.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

LYNDA HELEN DODS.

Address of affected property including legal description

131 Jacenthro Rd, Peria

Contact Phone Number/s and email address

Daytime:

022 699 0075

email:

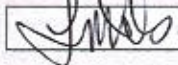
lyndadods@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

16/9/25

Signature

Date

Signature

Date

Signature

Date

JACENTHO ROAD

EXISTING

LOT 2
DP 81936
0.3855 ha

PROPOSED

PROPOSED

EXISTING

B

76.02m²

Pt Allot 37

A

77.61m²

EXISTING

EXISTING

83°32'10"
6.84

188°02'00"
23.40

170°04'45"
22.71

188°20'00"
22.70

160°57'50"
14.12

42°57'30"
22.93

[Signature]
16/9/25