



DONALDSONS

REGISTERED LAND SURVEYORS

7862

13 October 2026

Planning Division

Far North District Council
Private Bag 752
Kaikohe

Dear Sir/Madam

PROPOSED RESOURCE CONSENT VARIATION

K. & S. LUPI, 37 ONEKURA ROAD, KERIKERI

We submit herewith a Resource Consent variation 2 application together with the following:

-  Application form & deposit \$1000
-  Planning report
-  Scheme Plans (stages 1 & 2)
-  Record of Title
-  Resource Consent Variation 1

Yours faithfully,

Micah Donaldson
MNZIS - Assoc. NZPI

DONALDSONS

Registered Land / Engineering Surveyors and Development Planners



CSNZ

THE CONSULTING
SURVEYORS
OF NEW ZEALAND

A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS



7862

13 October 2026

Resource Planner
Far North District Council
Private Bag 752
KAIKOHE 0440

APPLICATION TO CHANGE RESOURCE CONSENT CONDITIONS – SECTION 127 RMA 1991

VARIATION 2 – RC 2220784-RMASUB | 37 Onekura Road, Kerikeri

Applicant: Kerry Michael Lupi (KM & SC Lupi) | Property: Lot 2 DP 209487, Record of Title NA135D/812

On behalf of the consent holder, application is made pursuant to section 127 of the Resource Management Act 1991 (RMA) to change conditions of RC 2220784-RMASUB, as amended by Variation 1 (2220784-RMAVAR/A, decision dated 17 July 2025). The application seeks approval of revised September 2026 scheme plans and a consequential change to the Stage 1 amalgamation requirement. No additional allotments or increase in the approved allotment areas is proposed.

1. CONSENT HISTORY AND STATUS

The underlying consent authorises subdivision of Lot 2 DP 209487 at 37 Onekura Road. Variation 1, approved by FNDC on 17 July 2025, introduced a two-stage subdivision: Stage 1, Lots 5 and 6; and Stage 2, Lots 1–5. The approved Variation 1 plans are dated June 2025. Council subsequently granted extension of the lapse period under reference 2220784-RMAEXT/A on 17 July 2025. The consent now lapses on 1 February 2030, unless given effect to beforehand. No further extension is sought under this application.

The Stage 1 arrangement previously contemplated transfer and amalgamation of Lot 6 with Lot 3 DP 505563 (RT 763512). The adjoining holding has since been subdivided, and the intended receiving title is now Lot 1 DP 627977 (RT 1282807), shown on the revised plans as land owned by Jatt Farmers Limited. This change requires corresponding consent wording and implementation through the survey and title process.

2. DESCRIPTION OF VARIATION 2

Matter 1 – Stage 1 amalgamation. Lot 6 remains 3,000 m². Rather than being transferred to the owners of Lot 3 DP 505563, it is to be transferred to the owners of Lot 1 DP 627977 (RT 1282807), with one title issued comprising both parcels. The change reflects the recent subdivision of the adjoining landholding and does not create an additional standalone title for Lot 6. The revised Stage 1 plans show the intended amalgamation, access/service easements and drainage easement.

Matter 2 – Stage 2 internal boundaries. The boundaries between Lots 1, 2 and 3 are adjusted to more closely follow existing gully landforms and fence lines. Each lot remains 2.00 ha, with Lot 4 remaining 2.18 ha and the Stage 2 balance Lot 5 remaining 43.65 ha. The boundary adjustments are internal to the consented development and do not change the approved number of lifestyle lots. The revised layout is shown on the September 2026 overall and detailed scheme plans.

The Stage 1 plan continues to show Lot 5 at 51.83 ha before completion of Stage 2. The staged scheme plans are to be read together, recognising that Lot 5 is the balance allotment at each stage.



3. REQUESTED CONDITION CHANGES TO RMAVAR 2220784

For clarity, the following changes are requested to the operative conditions in Schedule 1 of the Variation 1 decision. Condition numbering below follows that schedule; all other conditions are to remain unchanged except to the extent necessary to update approved plan references.

Stage 1: Lots 5 & 6

Condition 3(a) – Stage 1 plan reference (replacement wording):

“The survey plan shall be generally in accordance with the plan of subdivision titled Stage 1 Plan, Ref 7862 and dated September 2026, prepared by Donaldsons, as attached to this decision.”

Condition 3(c) – Stage 1 amalgamation (replacement wording):

“That Lot 6 hereon be transferred to the owners of Lot 1 DP 627977 (RT 1282807) and that one title be issued to include both parcels.”

The former reference to LINZ ID 1821492 should be deleted or replaced with the appropriate updated LINZ condition identifier following Council/LINZ confirmation, as it relates to the former receiving parcel.

Condition 6(a) – Stage 2 plan reference (replacement wording):

“The survey plan shall be generally in accordance with the plan of subdivision titled Stage 2 Plan, Ref 7862 and dated September 2026, prepared by Donaldsons, as attached to this decision.”

Overall approved plan condition – consequential amendment:

Where the consent refers to the overall June 2025 approved subdivision plan, replace that reference with the Donaldsons overall plan titled “Lots 1–6 Being a Proposed Subdivision of Lot 2 DP 209487 and Easements over Lot 3 DP 505563”, dated September 2026, together with the September 2026 Stage 1 and Stage 2 plans.

No change is requested to the Stage 1 geotechnical, consent notice, ecological protection or pet management requirements, or to the Stage 2 engineering, servicing, wastewater, stormwater, geotechnical and consent notice conditions. Existing easements, proposed easements and covenant areas are to be implemented in accordance with the revised plans and applicable consent conditions.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Scope and subdivision outcome. The change is limited to the receiving parcel for the Stage 1 amalgamation and refinement of three internal boundaries. There is no increase in the number of titles authorised, no increase in the approved areas of Lots 1–3, and no additional residential development entitlement. Lot 6 remains tied to an adjoining title rather than becoming a separately marketable site. Accordingly, the changes do not materially alter the scale or intensity of the approved subdivision.

Landscape, rural amenity and landform. The internal boundary refinements respond to identifiable gullies and fence lines, providing a more logical division of the existing landform and more practical land management. They do not themselves involve earthworks, buildings or vegetation clearance. The existing rural landscape pattern and the consented location of allotments remain substantially unchanged. Any future physical works remain subject to the existing conditions and applicable rules.

Wetlands, gullies and biodiversity. The consented development includes protected gully and wetland areas identified V, W, X, Y and Z, together with relevant protection and pet-control conditions. The September 2026 plans continue to identify these areas. The adjusted lot boundaries do not authorise works within or near wetlands, and the existing protection obligations are to be retained. In particular, any survey definition or revised covenant schedule must ensure that the mapped protected areas and associated obligations are not inadvertently reduced or omitted. Any separate Northland Regional Council consents and freshwater regulatory requirements remain applicable.

Highly productive land and horticulture. The land is within the Proposed Far North District Plan Horticulture Zone and the consent includes conditions addressing Class 1–3 productive soils. Retaining the same lot areas and general development pattern does not create further fragmentation of productive land or additional reverse-sensitivity interfaces beyond the consented subdivision. The Stage 1 amalgamation integrates Lot 6 with an existing adjoining landholding. The amended internal boundaries better reflect the existing physical land use and do not materially change the productive capability of the balance land.

Access, servicing and natural hazards

Existing and proposed rights of way, water-supply easements and the Stage 1 drainage easement are shown on the revised plans. The revised layout does not propose additional vehicle crossings, additional infrastructure demand or changes to approved stormwater and wastewater standards. The approved geotechnical investigation and development restrictions remain relevant to the final surveyed sites. The boundary changes do not themselves increase natural hazard exposure; final access, servicing and easement arrangements are to be confirmed on the section 223 survey plans.

Neighbours and cultural or heritage effects. The revised boundaries between Lots 1–3 lie within the approved subdivision. The change to the receiving title for Lot 6 does not extend the physical development footprint. No new adverse effects on adjoining occupiers, heritage features or cultural values are identified from the amendments themselves. On the information provided, no persons are considered adversely affected by the proposed changes.

Overall, taking into account the consented subdivision and the continuing operation of the approved mitigation conditions, the additional adverse effects of Variation 2 are considered **less than minor**.

5. STATUTORY AND DISTRICT PLAN ASSESSMENT

Section 127 RMA. The proposed changes concern conditions and the plans incorporated into the existing consent. They are appropriately considered as a change of conditions under section 127 rather than as a new subdivision application: the same consented activity, staging, number of allotments and approved lot areas are retained. Under section 127(3), the assessment under sections 104 and 104B is directed to the effects and planning implications of the proposed changes, with the existing approval providing the relevant context.

Operative Far North District Plan

The original subdivision was approved under the Operative District Plan as a restricted discretionary activity. The proposed changes are refinements to implementation, rather than an expansion of subdivision rights. They do not introduce allotment changes causing a measurable impact, servicing demand or new development activities. The amendments are consistent with the operative subdivision framework insofar as it seeks practical lot layout, safe access, adequate servicing and management of environmental effects.

Proposed Far North District Plan

The Horticulture Zone and subdivision provisions seek to protect productive land and avoid inappropriate fragmentation and reverse sensitivity. The retention of existing lot areas, amalgamation of Lot 6 with an adjoining landholding, and boundaries that better follow physical features are consistent with those outcomes. The proposal does not seek a fresh assessment of the already-authorised lifestyle lot yield. Relevant proposed-plan controls for any subsequent works remain applicable.

National and regional direction

The National Policy Statement for Highly Productive Land is relevant to the productive-soil context, while freshwater and wetland protection is addressed through applicable national environmental standards, regional provisions and existing consent conditions. The variation does not authorise any new activity within wetlands or alter the existing mitigation framework. No inconsistency with these instruments is identified arising from the proposed amendments.

Section 104 and Part 2. The relevant effects and plan considerations are addressed above. The proposal represents efficient and practical implementation of an existing consent, maintains ecological safeguards and rural amenity, and does not raise any new matter of national importance requiring further assessment. It is consistent with sustainable management under Part 2 of the RMA.

6. NOTIFICATION AND CONSULTATION

The earlier section 127 decision was processed without notification, with FNDC finding that the change was within the scope of the original consent and that there were no affected persons. This Variation 2 is similarly confined to minor internal boundary changes and the identity of the adjoining title with which Lot 6 is amalgamated. The adverse effects are considered **less than minor** and no person is identified as adversely affected. Accordingly, non-notified processing is requested under sections 95A–95E of the RMA, subject to Council's statutory determination. Implementation of the amalgamation will require the relevant ownership and conveyancing arrangements; those matters do not change the environmental effects assessment.

7. CONCLUSION AND REQUEST

Variation 2 provides for an updated Stage 1 amalgamation following the recent creation of Lot 1 DP 627977 and a more practical Stage 2 boundary arrangement following existing gullies and fence lines. The approved areas, staged implementation, servicing standards and environmental protection requirements are retained. The adverse effects are considered **less than minor**. Council is requested to approve the amended conditions and September 2026 scheme plans under section 127 RMA, without notification. The existing lapse date of **1 February 2030** remains unchanged.

Yours faithfully,

Micah Donaldson

DONALDSONS

Land / Engineering Surveyors and Development Planners



[Show Historical View](#)

GRIP TITLE INFORMATION PREVIEW



Freehold

Identifier	NA135D/812
Land Registration District	North Auckland
Date Issued	04 December 2001

Prior References

[NA51A/1377](#)

Estate	Fee Simple
Area:	52.1380 hectares more or less
Legal Description	Lot 2 Deposited Plan 209487

Registered Owners

Interests

Subject to Section 59 Land Act 1948

Subject to a water supply right over parts marked A, B, C, D and E on DP 209487 specified in Easement Certificate B388577.1 - 6.3.1985 at 2.13 pm

The easements specified in Easement Certificate B388577.1 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a water supply right (in gross) over parts marked B, C, E and F DP 209487 in favour of the Kerikeri Irrigation Company Limited created by Gazette Notice C021731.1 - 27.7.1989 at 11:16 am

Land Covenant in Easement Instrument 6662834.1 - 24.11.2005 at 9:00 am

Disclaimer: This preview provides an indication of the likely content of Record of Title NA135D/812, it is not a substitute for an authoritative Record of Title. For an authoritative Record of Title of NA135D/812 please contact Land Information New Zealand. This content of this preview has been generated using data sourced from LINZ Data Service on 09/10/2026

[Show Historical View](#)

GRIP TITLE INFORMATION PREVIEW



Freehold

Identifier 1282807
Land Registration District North Auckland
Date Issued 24 September 2026

Prior References

[763512](#)

Estate	Fee Simple	Instrument	OCTN 13616267.1
Area:	6.5480 hectares more or less		
Legal Description	Lot 1 Deposited Plan 627977		

Registered Owners

Jatt Farmers Limited

Interests

Appurtenant hereto is a water right specified in Easement Certificate B388577.1 - 6.3.1985 at 2.13 pm

Subject to Section 59 Land Act 1948

Subject to a right of way and a right to convey water, electricity, telecommunications & computer media over part marked A on DP 627977 created by Easement Instrument 10835340.3 - 29.6.2017 at 11:24 am

Subject to a right of way, a right to drain water and a right to convey electricity, telecommunications and water over part marked A, B and C, and a right to convey water over part marked D, all on DP 627977 created by Easement Instrument 13616267.3 - 25.9.2026 at 9:15 am

The easements created by Easement Instrument 10835340.3 are subject to Section 243 (a) Resource Management Act 1991

The easements created by Easement Instrument 13616267.3 are subject to Section 243 (a) Resource Management Act 1991

The easements specified in Easement Certificate B388577.1 are subject to Section 309 (1) (a) Local Government Act 1974

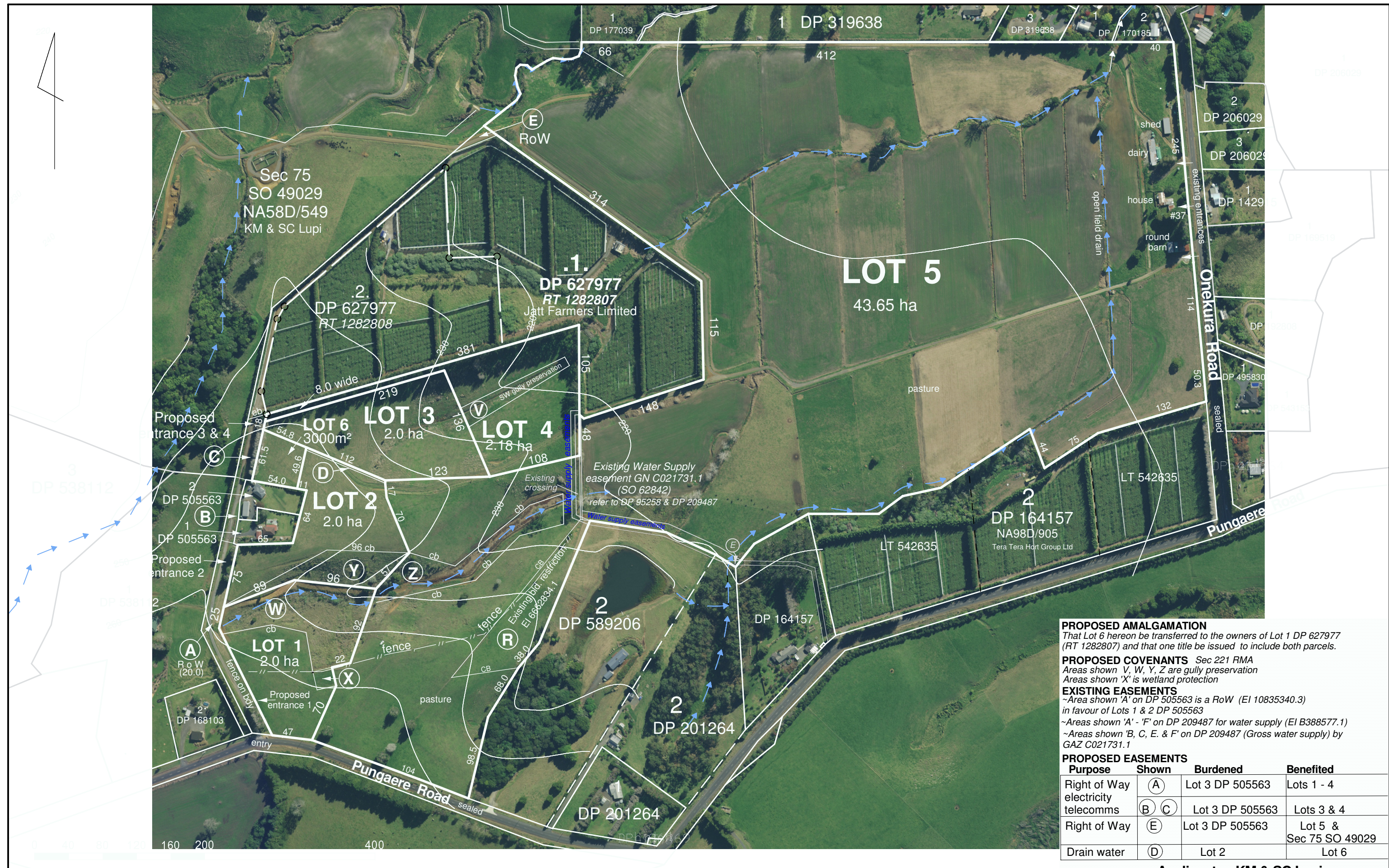
10835340.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 29.6.2017 at 11:24 am

11768888.10 Mortgage to ANZ Bank New Zealand Limited - 12.6.2020 at 4:46 pm

12136209.1 Variation of Mortgage 11768888.10 - 28.5.2021 at 3:28 pm

13616267.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 25.9.2026 at 9:15 am

Disclaimer: This preview provides an indication of the likely content of Record of Title 1282807, it is not a substitute for an authoritative Record of Title. For an authoritative Record of Title of 1282807 please contact Land Information New Zealand. This content of this preview has been generated using data sourced from LINZ Data Service on 09/10/2026



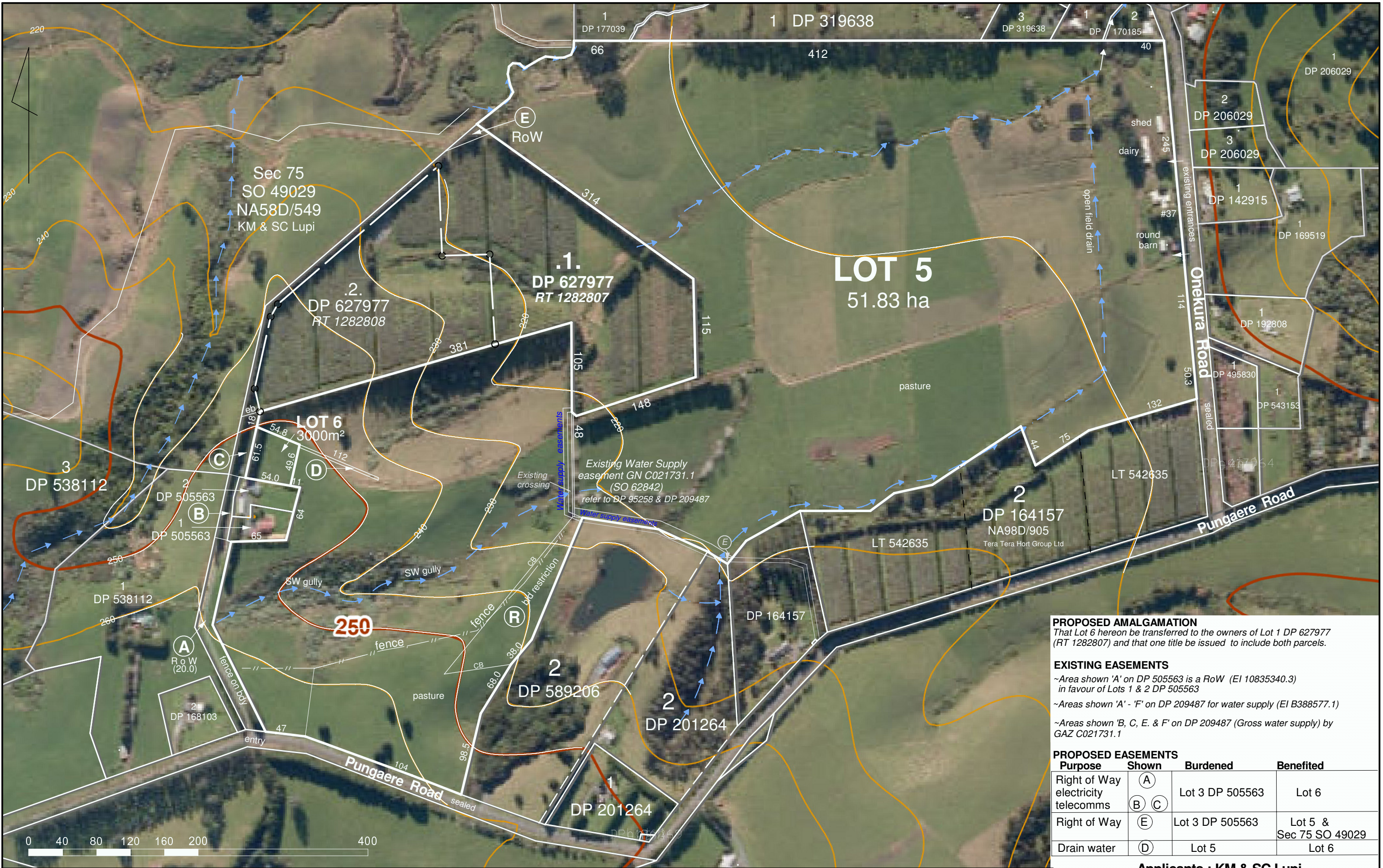
PROPOSED AMALGAMATION
That Lot 6 hereon be transferred to the owners of Lot 1 DP 627977 (RT 1282807) and that one title be issued to include both parcels.

PROPOSED COVENANTS Sec 221 RMA
Areas shown V, W, Y, Z are gully preservation
Areas shown 'X' is wetland protection

EXISTING EASEMENTS
~Area shown 'A' on DP 505563 is a RoW (EI 10835340.3) in favour of Lots 1 & 2 DP 505563
~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)
~Areas shown 'B, C, E, & F' on DP 209487 (Gross water supply) by GAZ C021731.1

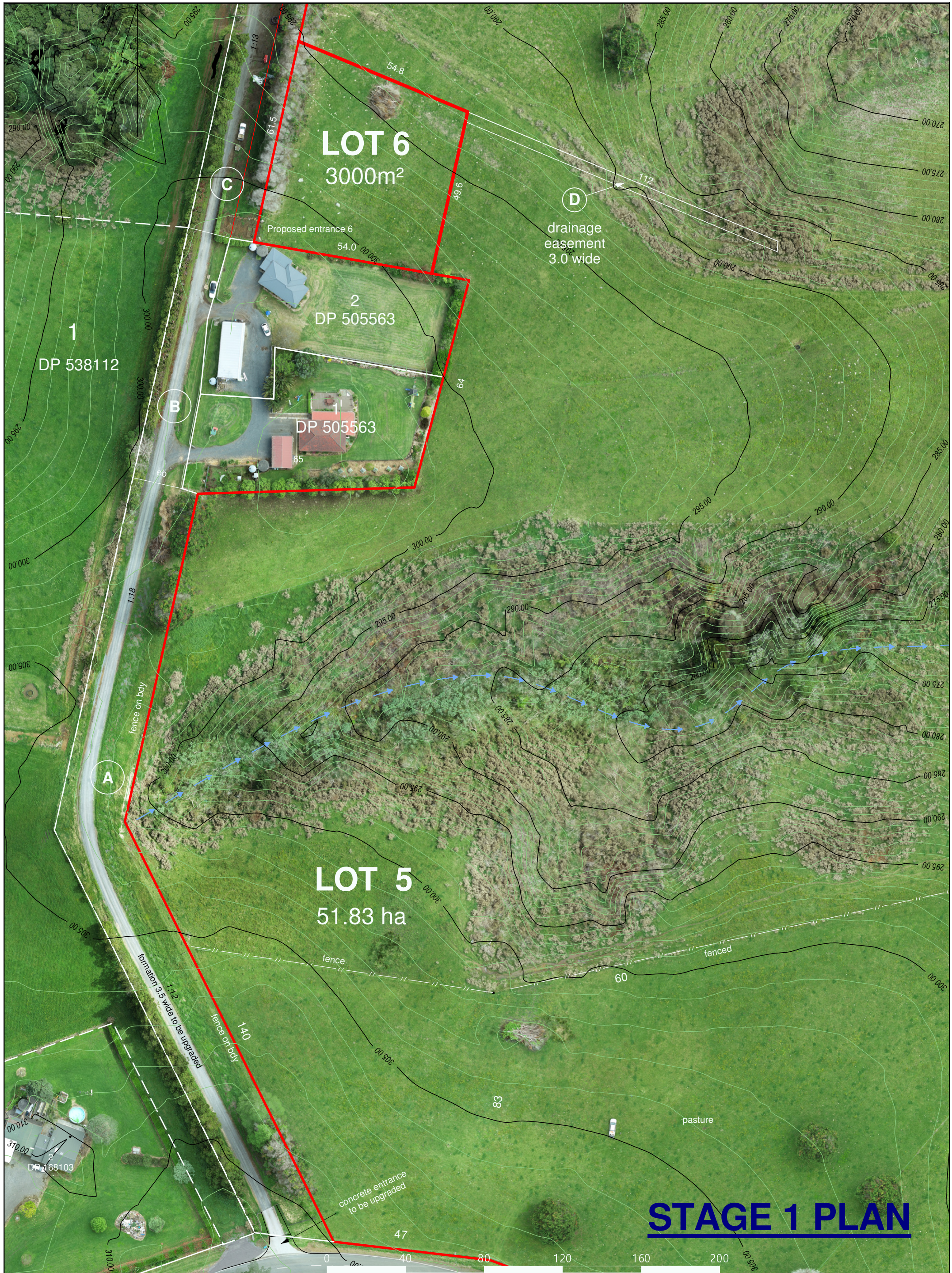
Purpose	Shown	Burdened	Benefited
Right of Way	(A)	Lot 3 DP 505563	Lots 1 - 4
electricity	(B)	Lot 3 DP 505563	Lots 3 & 4
telecomms	(C)	Lot 3 DP 505563	Lots 3 & 4
Right of Way	(E)	Lot 3 DP 505563	Lot 5 & Sec 75 SO 49029
Drain water	(D)	Lot 2	Lot 6

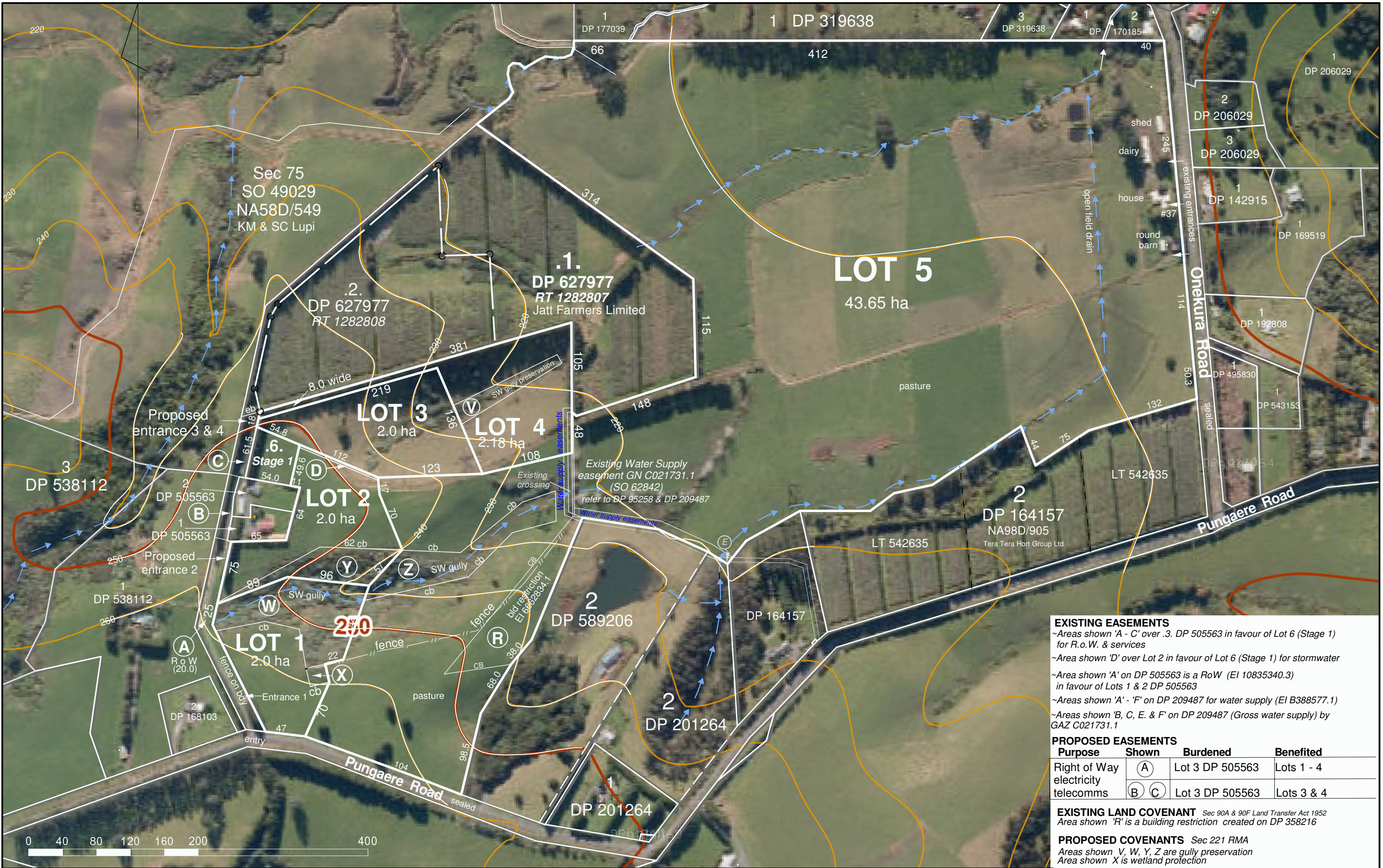
Applicants : KM & SC Lupi
Title : NA135D/812
Area : 52.1380 ha
Zoned : Rural Production
Scale 1 : 4000 @ A3 Date: September 2026
Dir: 7862 Scheme VAR Overall.mjo 7862



PROPOSED AMALGAMATION			
That Lot 6 hereon be transferred to the owners of Lot 1 DP 627977 (RT 1282807) and that one title be issued to include both parcels.			
EXISTING EASEMENTS			
~Area shown 'A' on DP 505563 is a RoW (EI 10835340.3) in favour of Lots 1 & 2 DP 505563			
~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)			
~Areas shown 'B, C, E, & F' on DP 209487 (Gross water supply) by GAZ C021731.1			
PROPOSED EASEMENTS			
Purpose	Shown	Burdened	Benefited
Right of Way electricity telecomms	(A) (B) (C)	Lot 3 DP 505563	Lot 6
Right of Way	(E)	Lot 3 DP 505563	Lot 5 & Sec 75 SO 49029
Drain water	(D)	Lot 5	Lot 6

Applicants : KM & SC Lupi
Title : NA135D/812
Area : 52.1380 ha
Zoned : Rural Production
Scale 1 : 4000 @ A3
Date: September 2026
file 7862 Stage 1 VAR - Overall.mjo
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EXISTING EASEMENTS

- ~Areas shown 'A' - 'C' over .3. DP 505563 in favour of Lot 6 (Stage 1) for R.o.W. & services
- ~Area shown 'D' over Lot 2 in favour of Lot 6 (Stage 1) for stormwater
- ~Area shown 'A' on DP 505563 is a RoW (EI 10835340.3) in favour of Lots 1 & 2 DP 505563
- ~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)
- ~Areas shown 'B, C, E. & F' on DP 209487 (Gross water supply) by GAZ C021731.1

PROPOSED EASEMENTS

Purpose	Shown	Burdened	Benefited
Right of Way	(A)	Lot 3 DP 505563	Lots 1 - 4
electricity	(B) (C)	Lot 3 DP 505563	Lots 3 & 4
telecomms	(B) (C)	Lot 3 DP 505563	Lots 3 & 4

EXISTING LAND COVENANT Sec 90A & 90F Land Transfer Act 1952
Area shown 'R' is a building restriction created on DP 358216

PROPOSED COVENANTS Sec 221 RMA
Areas shown V, W, Y, Z are gully preservation
Area shown X is wetland protection



STAGE 2

DECISION ON SECTION 127 APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 127 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** resource consent to change condition 1 of resource consent 2220784 RMA SUB to:

Applicant:	Kerry Michael Lupi
Council Reference:	2220784-RMAVAR/A
Property Address:	37 Onekura Road, Kerikeri 0295
Legal Description:	LOT 2 DP 209487 SEC 75 BLK XII KAEO SD
Description of Application:	Variation to condition 1 to allow for a staged subdivision

The following changes to the conditions of resource consent 2220748 RMA SUB are made:

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

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

Condition 1

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Donaldsons, referenced **Stages 1 & 2** Lots 1 – 6 Being a Proposed Subdivision of Lot 2 DP 209487 and Easements over Lot 3 DP 505563, dated **June 2025** ~~May 2022~~, and attached to this consent with the Council's "Approved Stamp" affixed to it.

2(a) The survey plan shall be generally in accordance with the plan of subdivision titled *Stage 1 Plan*, Ref 7862 and dated June 2025, prepared by Donaldsons as attached to this decision.

5 Prior to the sealing of the Survey Plan pursuant to Section 223 the following Conditions shall be complied with:

5(a) The survey plan shall be generally in accordance with the plan of subdivision titled *Stage 2 Plan*, Ref 7862 and dated June 2025, prepared by Donaldsons as attached to this decision.

6(a) Submit a geotechnical engineering report for lots 1-4 provided by a chartered geotechnical engineer. This investigation is to cover (as a minimum) the proposed building site, general suitability of stormwater soakage devices and the access

route from the entrance to the building site. The conclusions and recommendations required for all assessments should include:

- i) Any building foundation restrictions and areas unsuitable for building.
- ii) Solutions to counter any instability.
- iii) Recommendations for stormwater/effluent disposal and any effect disposal will have on stability.

7. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:

7(a) Submit a geotechnical engineering report for lots 1-4 provided by a chartered geotechnical engineer. This investigation is to cover (as a minimum) the proposed building site, general suitability of stormwater soakage devices and the access route from the entrance to the building site. The conclusions and recommendations required for all assessments should include:

- i. Any building foundation restrictions and areas unsuitable for building.
- ii. Solutions to counter any instability.
- iii. Recommendations for stormwater/effluent disposal and any effect disposal will have on stability.

Advice Notes

Lapsing of Consent

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

Right of Objection

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

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The proposed change is within the scope of the original resource consent and therefore can be considered under section 127.
3. In regard to sections 104(1)(a) and 127(3) of the Act the actual and potential effects of the proposed change will be acceptable as:

- a. The variation does not result in any changes to the proposed lot sizes. The lot sizes stay the same, however will be staged.
4. In regard to sections 104(1)(b) and 127(3) of the Act the following statutory documents are considered to be relevant to the application:
 - a. Operative Far North District Plan 2009,
 - b. Proposed Far North District Plan 2022

Operative Far North District Plan

There have been no changes to the objectives and policies of the relevant Chapters of the Operative Far North District Plan (ODP) since the approval of the underlying subdivision consent RC 2220784-RMASUB. As such, the activity remains consistent with the ODP.

Proposed District Plan

The subject site is zoned Horticulture under the Proposed District Plan (PDP) and as the variation relates to staging the subdivision, it is therefore considered the activity is consistent with the objectives and policies of the zone and Subdivision Chapter.

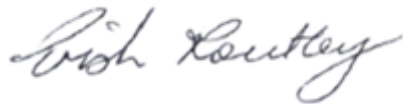
For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary.

5. In regard to sections 104(1)(c) and 127 of the Act there are no other matters relevant and reasonably necessary to determine the application.
6. Based on the assessment above the proposed change will be consistent with Part 2 of the Act. The proposed change will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the proposed change. The proposal remains an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
7. Overall, for the reasons above it is appropriate for the change(s) and cancellation(s) of the conditions of consent to be granted.

Approval

This resource consent has been prepared by Whitney Peat, Senior 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.



Name: Patricia (Trish) Routley

Date: 17 July 2025

Title: Manager Resource Consents

Schedule 1

Complete set of Consent Conditions for RMA SUB 2220784 as Amended by RMAVAR 2220784

Conditions

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

2. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Donaldsons, referenced Stages 1 & 2 Lots 1 – 6 Being a Proposed Subdivision of Lot 2 DP 209487 and Easements over Lot 3 DP 505563, dated June 2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Stage 1: Lots 5 & 6

Survey plan approval (s223 RMA) conditions

3. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. The survey plan shall be generally in accordance with the plan of subdivision titled *Stage 1 Plan*, Ref 7862 and dated June 2025, prepared by Donaldsons as attached to this decision.
 - b. All easements in the memorandum to be duly granted or reserved.
 - c. That Lot 6 hereon be transferred to the owners of Lot 3 DP 505563 (RT 763512) and that one title be issued to include both parcels. LINZ ID: 1821492
 - d. Areas 'V', 'W', 'X', 'Y', 'Z' to be protected by way of land covenants for the purpose of wetland preservation.
4. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. Submit a geotechnical engineering report for proposed Lot 6 provided by a chartered geotechnical engineer. This investigation is to cover (as a minimum) the proposed building site, general suitability of stormwater soakage devices and the access route from the entrance to the building site. The conclusions and recommendations required for all assessments should include:
 - i) Any building foundation restrictions and areas unsuitable for building.
 - ii) Solutions to counter any instability.
 - iii) Recommendations for stormwater/effluent disposal and any effect disposal will have on stability.

Section 224(c) RMA compliance conditions

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

- a. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the consent holder:
- i. No more than one dog and one cat shall be introduced or kept on the lot at any time. Any dog must be micro-chipped and have a current kiwi aversion trained certification. Any dog must be within a dog-proof fenced area on the lot and be under effective control at all times when outside of the fenced area, e.g. on a lead. At night any dog must be kept inside or be tied up. Any cat is to be neutered, microchipped, and kept inside at night.

Prior to the introduction or keeping of any dog or cat on either lot, the occupier must provide to the Resource Consents Monitoring Officer of Far North District council the following:

- a. A photograph of the cat or dog;
- b. Written confirmation that the cat or dog has been microchipped;
- c. For any dog written confirmation that the dog has current kiwi aversion training certification along with the expiry date for the certification;
- d. For any dog a plan showing the extent to the dog proof fenced area;
- e. For any cat written confirmation that the cat has been neutered.

Note: Working farm dogs as defined in the Dog Control Act 1996 are exempt from this consent notice on Lot 5 only 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.

[Lot 5 & 6]

- ii. The Lot owner shall ensure that the wetland areas as indicated on the survey plan as 'V', 'W', 'X', 'Y', and 'Z' are to be preserved and protected in perpetuity. The owner shall be deemed to be not in breach of this prohibition if any damage to these areas is a result of natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

[Lot 5]

Stage 2: Lots 1 – 5

Section 223(c) RMA conditions

6. Prior to the sealing of the Survey Plan pursuant to Section 223 the following Conditions shall be complied with:
 - a. The survey plan shall be generally in accordance with the plan of subdivision titled *Stage 2 Plan*, Ref 7862 and dated June 2025, prepared by Donaldsons as attached to this decision.
7. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. Submit a geotechnical engineering report for lots 1-4 provided by a chartered geotechnical engineer. This investigation is to cover (as a minimum) the proposed building site, general suitability of stormwater soakage devices and the access route from the entrance to the building site. The conclusions and recommendations required for all assessments should include:
 - i) Any building foundation restrictions and areas unsuitable for building.
 - ii) Solutions to counter any instability.
 - iii) Recommendations for stormwater/effluent disposal and any effect disposal will have on stability.

Section 224(c) RMA compliance conditions

8. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Upgrade the existing ROW easement A to a formed and metalled access to 5m finished carriageway width and with swale drains where required to control and direct the discharge of stormwater runoff.
 - b. Upgrade the existing entrance to ROW easement A to provide an entrance which complies with the Council's Engineering Standard FNDC/S/6 and 6B, and section 3.3.7.1 of the Engineering Standard and NZS4404:2004. Seal the entrance plus splays for a minimum distance of 5m from the existing seal edge.
 - c. In the event that the existing residents agree, and the Community Board approves a new road name, provide evidence to Council that the cost of purchasing and installing a road name sign for the road to vest has been paid to Council contractors:

(Southern Area – Ventia (09) 407 7851)

Note: The applicant/consent holder is advised that in accordance with Community Board Policy, road names should reflect the history of an area.

9. 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. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire-fighting 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 1-4]

- b. For the purpose of protecting Class 1 – 3 soil types as required by the National Policy Statement for Highly Productive Soils, impermeable surfaces shall be restricted to a maximum of 500m² to avoid the reduction in soil productivity as far as practically possible.

[Lot 1]

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

[Lots 1-4]

- d. In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by Kerikeri Drainage Limited (dated 12/11/21) and submitted with Resource Consent 2220784-RMASUB.

Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the abovementioned report, a new TP 58 / Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.

[Lots 1-4]

- e. In conjunction with the construction of any building on the site and to mitigate the effects of stormwater discharge into the lower wetland, provide a specific design for stormwater management, prepared by a suitably qualified person. The design is to uphold low impact criteria described in GD01, including soakage and attenuation for all impermeable surfaces that will limit the stormwater flows from the allotment to predevelopment levels for rainfall events including 50% AEP and 10% AEP, and allowance for climate change RCP8.5 2031-2050.

[Lots 1-4]

- f. Any development shall comply with the restrictions and recommendations identified in the geotechnical engineering report submitted in accordance with Condition 3 of consent 2220784-RMASUB, unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.

[Lots 1-4]

- g. In the event that any existing effluent system on the lot fails and requires replacement, the lot owner shall obtain all necessary consents and replace the system with an aerated wastewater treatment plant and dripline effluent system.

[Lot 5]

- h. Due to horticultural activities taking place in the vicinity, any dwelling constructed on the Lot which utilises rainwater as a potable water supply will require a suitable water filtration system to be installed.

[Lots 2 – 4]

- i. No more than one dog and one cat shall be introduced or kept on the lot at any time. Any dog must be micro-chipped and have a current kiwi aversion trained certification. Any dog must be within a dog-proof fenced area on the lot and be under effective control at all times when outside of the fenced area, e.g. on a lead. At night any dog must be kept inside or be tied up. Any cat is to be neutered, microchipped, and kept inside at night.

Prior to the introduction or keeping of any dog or cat on either lot, the occupier must provide to the Resource Consents Monitoring Officer of Far North District council the following:

- i. A photograph of the cat or dog;
- ii. Written confirmation that the cat or dog has been microchipped;
- iii. For any dog written confirmation that the dog has current kiwi aversion training certification along with the expiry date for the certification;
- iv. For any dog a plan showing the extent to the dog proof fenced area;
- v. For any cat written confirmation that the cat has been neutered.

Note: Working farm dogs as defined in the Dog Control Act 1996 are exempt from this consent notice on Lot 5 only 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.

[All Lots]

Advice Notes

Lapsing of Consent

3. 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

4. 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

5. 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

6. 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).
7. During the assessment of your application, it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.
8. There are extensive areas of Wetlands on the subject site and on Lots 1, 3, 4 and 5. The consent holder and future Lot owners shall be aware of this and are advised that further consent from Far North District Council as well as the Northland Regional Council may be required prior to development under the District Plan and/or the National Environmental Standard for Freshwater Regulations 2020.
9. 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.
10. The consent holder will need to provide evidence that a Traffic Management Plan (TMP) has been approved by Council's Corridor Access Engineer and a Corridor Access request (CAR) obtained prior to any vehicle crossings being constructed or undertaking any remedial works to the existing public road carriageway.
11. During the assessment of this application, it was identified that there are resource consents approved by Northland Regional Council which apply to Lots 1, 2, 3 and 4 for works within proximity to the wetlands on site. The consent holder will need to ensure that

the conditions of these consent are complied with when the approved works are being undertaken.

APPROVED PLAN

Planner: wpeat
RC: 2220784 RMAVAR
Date: 17/07/25



STAGE 2



APPROVED PLAN

Planner: wpeat
RC: 2220784 RMAVAR
Date: 17/07/25

LOT 5
43.65 ha

LOT 3
2.0 ha

LOT 4
2.18 ha

LOT 2
2.0 ha

LOT 1
2.0 ha

250

DONALDSONS
REGISTERED LAND SURVEYORS

STAGE 2

LOTS 1 - 5 BEING A PROPOSED SUBDIVISION OF LOT 2 DP 209487

EXISTING EASEMENTS
~Areas shown 'A' - 'C' over .3. DP 505563 in favour of Lot 6 (Stage 1) for R.O.W. & services
~Area shown 'D' over Lot 2 in favour of Lot 6 (Stage 1) for stormwater in favour of Lots 1 & 2 DP 505563
~Area shown 'A' on DP 505563 is a RoW (EI 10835340.3)
~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)
~Areas shown 'B, C, E, & F' on DP 209487 (Gross water supply) by GAZ C021731.1

PROPOSED EASEMENTS

Purpose	Shown	Burdened	Benefited
Right of Way	(A)	Lot 3 DP 505563	Lots 1 - 4
electricity	(B)	Lot 3 DP 505563	Lots 3 & 4
telecomms	(C)	Lot 3 DP 505563	Lots 3 & 4

EXISTING LAND COVENANT Sec 90A & 90F Land Transfer Act 1952
Area shown 'R' is a building restriction created on DP 358216

PROPOSED COVENANTS Sec 221 RMA
Areas shown V, W, X, Y, Z are for gully & wetland preservation

Applicants : KM & SC Lupi

Title : NA135D/812

Area : 52.1380 ha

Zoned : Rural Production

Scale : 1 : 4000 @ A3

file 7862 Stage 2 - Scheme 2ha v6 Overall.mjo

Date: June 2025

7862



APPROVED PLAN
Planner: wpeat
RC: 2220784 RMAVAR
Date: 17/07/25

LOT 5
51.83 ha

LOT 6
3000m²

PROPOSED AMAL GAMATION
That Lot 6 hereon be transferred to the owners of Lot 3 DP 505563 (RT 763512) and that one title be issued to include both parcels.

EXISTING EASEMENTS

- ~Area shown 'A' on DP 505563 is a RoW (EI 10895340.3)
- in favour of Lots 1 & 2 DP 505563
- ~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)
- ~Areas shown 'B', 'C', 'E' & 'F' on DP 209487 (Grass water supply) by GAZ C021731.1

PROPOSED EASEMENTS	
Purpose	Shown
Right of Way	(A)
electricity	(B)
telecomms	(C)
Right of Way	(E)
Drain water	(D)

Applicants : KM & SC Lupi

Title : NA135D/812
Area : 52.1380 ha
Zoned : Rural Production
Scale 1 : 4000 @ A3

Date: June 2025
file 7862 Stage 1 - Scheme 2ha v6 Overall.mfp
7862

STAGE 1 PLAN
LOTS 5 & 6 BEING A PROPOSED SUBDIVISION OF LOT 2 DP 209487
AND EASEMENTS OVER LOT 3 DP 505563

DONALDSONS
REGISTERED LAND SURVEYORS



APPROVED PLAN
Planner: wpeat
RC: 2220784 RMAVAR
Date: 17/07/25

PROPOSED AMALGAMATION
That Lot 6 hereon be transferred to the owners of Lot 3 DP 505563 (RT 763512) and that one title be issued to include both parcels.

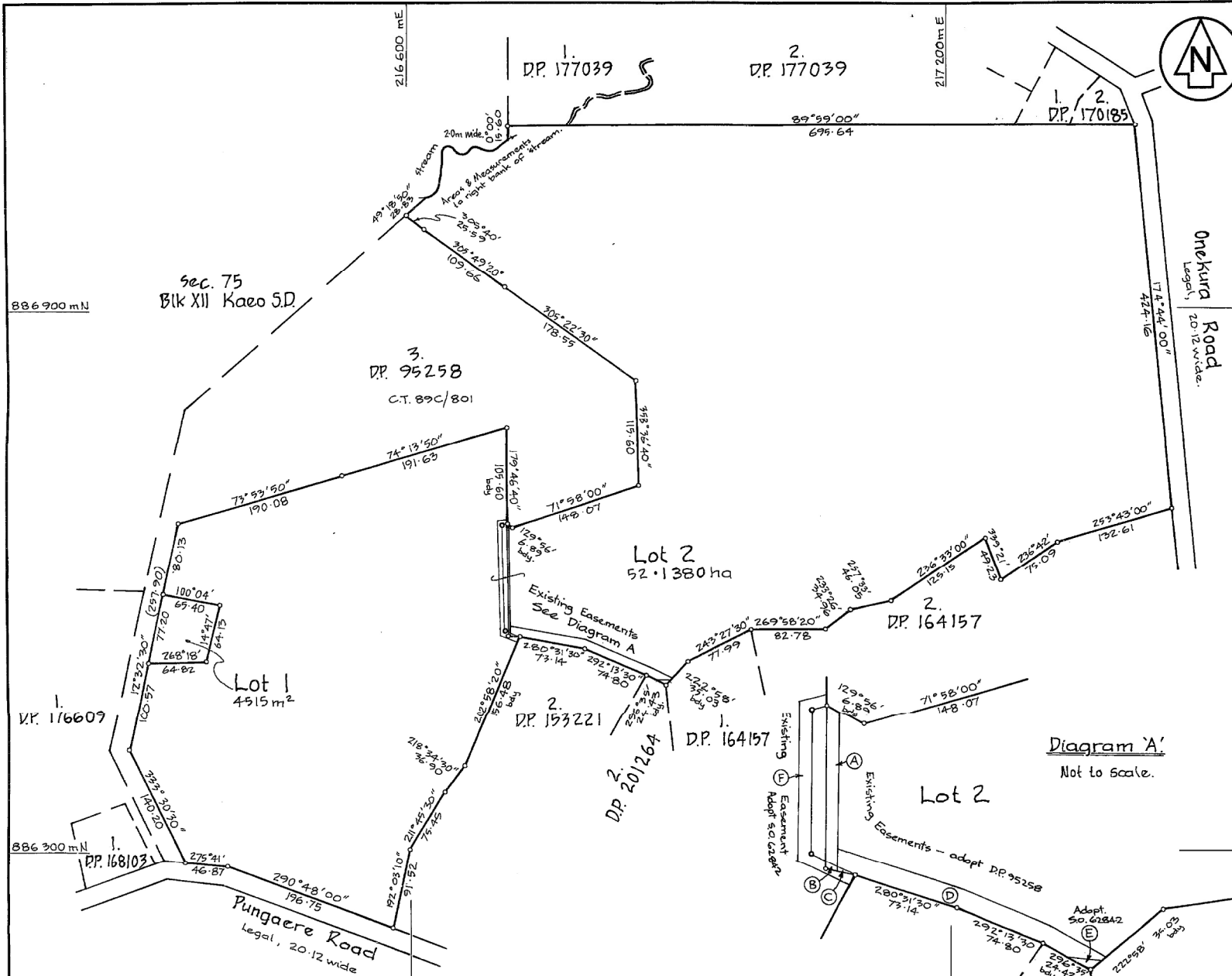
PROPOSED COVENANTS Sec 221 RMA
Areas shown V, W, X, Y, Z are proposed land covenants (gully preservation)

EXISTING EASEMENTS
~Area shown 'A' on DP 505563 is a RoW (EI 10835340.3)
~In favour of Lots 1 & 2 DP 505563
~Areas shown 'A' - 'F' on DP 209487 for water supply (EI B388577.1)
~Areas shown 'B', C, E, & F on DP 209487 (Gross water supply) by GAZ C021731.1

PROPOSED EASEMENTS		Shown	Burdened	Benefited
Purpose	(A)	(B)	(C)	(D)
Right of Way	(A)	(B)	(C)	(D)
electricity	(A)	(B)	(C)	(D)
telecomms	(A)	(B)	(C)	(D)
Right of Way	(A)	(B)	(C)	(D)
Drain water	(A)	(B)	(C)	(D)

Applicants : KM & SC Lupi
Title : NA135D/812
Area : 52.1360 ha
Zoned : Rural Production
Scale : 1 : 4000 @ A3
Date: June 2025
Dir: 7862 Scheme 2ha v6 Overall info
7862

**LOTS 1 - 6 BEING A PROPOSED SUBDIVISION OF LOT 2 DP 209487
AND EASEMENTS OVER LOT 3 DP 505563
Refer to Stage 1 & 2 Plans**



Approvals
I hereby certify that this plan was approved by the Far North District Council pursuant to section 223 of the Resource Management Act 1991 on the 10th day of August, 2001 subject to the amalgamation condition set out hereon.

R.C. 2010 856 *P.J. Killalea* Authorised Officer.

Amalgamation Condition:

"That Lot 1 hereon is to be transferred to the owners of Lot 3 D.P. 95258 (C.T. 89C/801) and one certificate of title is to be issued to include both parcels. see D.L.R. Ref. A635867.

Existing Easements

Purpose	Shown	Servient Tenement	Created by
Water Supply	A B C D E B C E F	Lot 2 hereon	C.035896.2 C.021731.1

For the purposes of Section 224(E) of the Resource Management Act 1991, I hereby certify that the conditions of subdivision consent to which the plan relates have been complied with to the satisfaction of the Far North District Council

P.J. Killalea Authorised Officer.

Lot 1, Class II & Lot 2 Class III Survey.

New Cs. T. Allocated:

Lot 1, & Lot 3 D.P. 95258 : C.T. 135D/811
Lot 2 : C.T. 135D/812

Total Area 52.5895ha

Comprised in C.T. 91A/1977 (All)

Nigel Ross of Kaipara being a person entitled to practise as a registered surveyor certify that:

- (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1986.
- (b) This dataset is accurate and has been created in accordance with that Act and those Regulations.

Signed *Nigel Ross* Date 21/8/2001

Field Book 8889 p. 18 Traverse Book 1961 p. 34-37

Reference Plans D.P. 95258, S.O. 39797 D.P. 168103

D.P. 153221 D.P. 201264 S.O. 62842

Examined B Nand Correct *Approved*

Approved as to Survey *W. N. Nicks*

10/9/2001 *Deby* Chief Surveyor

Deposited this 5 day of Dec 2001

Registrar General of Land

File 31 AUG 2001

Received Instructions

DP 209487

LAND DISTRICT North Auckland
Survey Blk. & Dist. XII Kaero
NZMS 261 Sheet 705 Record Map No. 4-1

Lots 1 & 2 Being A
Subdivision of Lot 1 D.P. 95258.

TERRITORIAL AUTHORITY Far North District
Surveyed by Surveyors North
Scale 1:3000 Date June 2001

4805

A.J. BEVIN, SURVEYOR GENERAL, LAND INFORMATION, NEW ZEALAND.

*APPROVED ARL 8000



Micro Record Bureau Ltd.

DATA CONVERSION

10 DEC 2001