



Office Use Only

Application Number:

Private Bag 752, Memorial Ave

Kaikohe 0440, New Zealand

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Phone: (09) 401 5200

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

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

(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)

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

1. Pre-Lodgement Meeting

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

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

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

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

3. Would you like to opt out of the Fast Track Process?

Yes ☐ No ☒

4. Applicant Details:

Name/s: Brian + Sandra Lee

Electronic Address for Service (E-mail):

Phone Numbers:

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

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

Name/s: Sam Lee

Electronic Address for Service (E-mail):

Phone Numbers:

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

Post Code: _____

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

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

Name/s: Brian Lee

Property Address/
Location: 125 Matahine Road.
Horehe

7. Application Site Details:

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

Site Address/
Location: ~~125 Matahine Road,~~ Horehe Road, Horehe.
Horehe

Legal Description: Lot 1 DP 206014 Val Number: _____

Certificate of Title: NA133C/860
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff?

Yes / No

Is there a dog on the property?

Yes / No

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

8. Description of the Proposal:

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

S127 Minor variation of RC 2200106

Refer to AEE supplied

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification

Yes / No

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

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

11. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)

☐ yes ☒ no ☐ don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).

☐ yes ☒ no ☐ don't know

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

12. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Please attach your AEE to this application.

13. Billing Details:

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

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

Sandra Lee

Email:

Postal Address:

Phone Numbers:

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

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

Name: Sandra Lee (please print)

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

Date:

11/6/2025

14. Important Information:

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

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

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

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

Name: Sam Lee (please print)

Signature: [Redacted] (signature)

Date: 11/6/2025

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

Checklist (please tick if information is provided)

- ☐ Payment (cheques payable to Far North District Council)
- ☐ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ☐ Applicant / Agent / Property Owner / Bill Payer details provided
- ☐ Location of property and description of proposal
- ☐ Assessment of Environmental Effects
- ☐ Written Approvals / correspondence from consulted parties
- ☐ Reports from technical experts (if required)
- ☐ Copies of other relevant consents associated with this application
- ☐ Location and Site plans (land use) AND/OR
- ☐ Location and Scheme Plan (subdivision)
- ☐ Elevations / Floor plans
- ☐ Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

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

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

Brian & Sandra Lee

APPLICATION FOR A MINOR VARIATION TO RC 2200106-RMASUB

PURSUANT TO s127 OF RMA

Horeke Road – Lot 1 DP 206014

Thomson Survey Ltd

1.0 INTRODUCTION

1.1 Background

RC 2200106-RMASUB was originally issued on 18th November 2019, with a s125 time extension granted on 26 November 2024. RC 2200106 creates three additional lots.

1.2 Reason for this Variation

The original consent layout involved a division of QEII covenanted bush areas shown DA, DB & DC on the approved overall scheme plan. This proposed division was initially agreed to by QEII trust representative Greg Blunden via email, however the official response from the QEII trust took a long time to receive, and was only received after the FNDC had issued the resource consent decision.

The official QEII trust response differed to what Greg Blunden provided in writing via email. It differs in that it forbids division of the QEII areas. This effectively invalidated the resource consent, as it cannot proceed to title in its current form.

We have therefore revised the scheme plan layout so that the existing QEII protected areas, all remain with the Lot 1. We no longer propose to split the QEII covenanted bush into different ownership, and furthermore we propose that Lot 1 (the Dairy farm) owns the land surrounding the QEII areas. This is done to ensure that the fencing around the QEII areas can still be accessed by Lot 1 for the ongoing fence maintenance.

The QEII trust has approved this alternative boundary layout.

1.3 Scope of this Report

This assessment and report accompanies the application for a change to conditions (s127) and is regarded as a **discretionary** activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. I regard the changes to be minor.

2.0 PROPERTY DETAILS

Location: Horeke Road, Horeke
Title & Legal description: NA133C/860 – Lot 1 DP 206014

3.0 SITE DESCRIPTION

The site remains as described in the original application. Refer to Location Map in Appendix 3.

4.0 CHANGES REQUESTED & EXPLANATION

Amend Condition 1 as follows:

Stages 1 & 2

1. The subdivision shall be carried out in accordance with the approved plans of subdivision referenced below prepared by Thomson's Survey ~~revised date 4.11.19~~
Generated on 08/05/2025 and attached to this consent with the Council's
"Approved Stamp" affixed to them:
 - ☐ ~~Proposed Subdivision of Lot 1 DP 206014 – Overall Plan; and~~
 - ☐ ~~Proposed Subdivision of Lot 1 DP 206014 – Stage 1~~
 - Survey number LT 617385 – Lots 1, 4, 5, 6 & 100 Being a Subdivision of Lot 1 DP 206014

Explanation:

The draft cadastral survey plans are now available and will be lodged for 223 signoff simultaneously with this variation application. LT 617385 proposed layout does not divide the QEII protected areas in any way.

On undertaking the survey it became apparent that there was some encroachment of Horeke Road formation into the property. This has been shown as Lot 100 and will be vested

with FNDC on deposit. The proposed road to vest boundaries are more than 2m from the current edge of the road.

Amend stage 2 Condition 3. by deleting clause (b)

~~(b) 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 vehicle crossings being constructed or upgraded~~

Explanation:

The entrance works have been completed by a local contractor. We understand that they did implement appropriate traffic management at the time; however we do not have copies of the TMP. We ask that this condition be removed and added as an advice note instead.

Amend Stage 2 Condition 3.

(c) Provide formed and metalled access on ROW easements 'A' B & C (to the boundary of each lot) and 'H' to a 3m finished metalled carriageway width in accordance with Appendix 3B-1. 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.

Explanation:

Amended to be in terms of the LT plan, and limits each of Lot 4 & 5 to only have Right of way as they require, and not over the entire length of the access.

5.0 STATUTORY REQUIREMENTS

Applications for changes to consent conditions are lodged pursuant to s127. Pursuant to clause 127(3)(a), the application for a change to consent conditions is a **discretionary activity** application.

Sections 88 to 121 of the Act apply, and the following planners report and Assessment of Environmental Effects is offered pursuant to the requirements of those relevant sections of the Act.

6.0 s104 CONSIDERATIONS

S104 of the Act requires a consent authority to consider any actual and potential effects on the environment resulting from the change; and any relevant provisions of

- (i) A national environmental standard;
- (ii) Other regulations;
- (iii) A national policy statement;
- (iv) A NZ Coastal Policy Statement;
- (v) A regional policy statement;
- (vi) A plan or proposed plan.

6.1 Assessment of Environmental Effects

When considering the effects under a s127 application, it is only the effects of the changes being sought that need be assessed and considered. As such, this assessment of environmental effects does not re-visit or repeat that provided for the processing of the original application.

The proposed changes relate primarily to the scheme plan, with other changes being consequential. Essentially the application reduces the size of Lots 4, 5, & 6, while increasing the size of Lot 1. All lots remain over 12ha in area.

No impacts to the demonstrated site suitability demonstrated results from this minor re-alignment of the proposed boundaries.

The ownership of the proposed Rights of way A, and H, changes to be Lot 1. Areas A and H are now shown as Areas A, B, and C.

The change is a positive one. It maintains existing vegetation protection covenants (QEII trust areas) to remain in one title.

6.2 Relevant Provisions of planning instruments

Since the application was first lodged and assessed there have been a number of changes to planning instruments. However, these need only be considered in regard to the changes being sought, not the original application.

6.2.1 Operative District Plan

This has not changed since the original application was processed.

6.2.2 Proposed District Plan (PDP)

The original consent was granted before the PDP was publicly notified and nothing has changed in that PDP, with notification of decisions on submissions yet to be given.

6.2.3 National Planning Instruments

There have been no new national planning instruments enacted since the original application was processed and granted.

7.0 CONSULTATION

Under Section 127(4) of the Act:

(4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—

- (a) made a submission on the original application; and*
- (b) may be affected by the change or cancellation.*

The original consent was issued under delegated authority, with no affected persons identified. The changes do not result in there being any additional affected persons.

8.0 CONCLUSION

Despite the fact that this variation seeks changes to conditions other than those relating to plans, I consider the application to fall within the ambit of a 'minor' variation.

It is considered the effects of the changes on the wider environment are less than minor. The proposal remains consistent with the relevant objectives and policies of the Operative and Proposed District Plan and the Regional Policy Statement, and Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to change conditions to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval to the s.127 application on a non notified basis.

Samuel Lee
Surveyor,
THOMSON SURVEY LTD

Date 16th May 2025

9.0 LIST OF APPENDICES

Appendix 1 Amended Scheme Plan being LT 617385. Aerial overlay plan is also provided

Appendix 2	RC 2200106-RMASUB and s125 extension of time.
Appendix 3	New agreement from QEII trust to new layout



**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 **NA133C/860**
Land Registration District **North Auckland**
Date Issued 01 December 2000

Prior References
NA1025/115

Estate Fee Simple
Area 105.4208 hectares more or less
Legal Description Lot 1 Deposited Plan 206014

Registered Owners

Brian Ross Lee as to a 1/2 share
Sandra Constance Lee as to a 1/2 share

Interests

8198966.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 18.6.2009 at 9:00 am.







Title Plan - LT 617385

Survey Number LT 617385
Surveyor Reference 8912 Lee - Taheke
Surveyor Samuel Ross Lee
Survey Firm Thomson Survey Limited
Surveyor Declaration

Survey Details

Dataset Description Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014
Status Initiated
Land District North Auckland
Submitted Date
Survey Class Class B
Survey Approval Date
Deposit Date

Territorial Authorities

Far North District

Comprised In

RT NA133C/860

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 4 Deposited Plan 617385	Fee Simple Title	12.0103 Ha	1237971
Lot 5 Deposited Plan 617385	Fee Simple Title	13.0531 Ha	1237972
Lot 6 Deposited Plan 617385	Fee Simple Title	20.2855 Ha	1237973
Lot 100 Deposited Plan 617385	Vesting on Deposit for Road	0.0159 Ha	
Area A Deposited Plan 617385	Easement		
Area B Deposited Plan 617385	Easement		
Area C Deposited Plan 617385	Easement		
Lot 1 Deposited Plan 617385	Fee Simple Title	60.2111 Ha	1237970
Area E Deposited Plan 617385	Covenant - Land		
Area F Deposited Plan 617385	Covenant - Land		
Area G Deposited Plan 617385	Covenant - Land		
Total Area		<hr/> 105.5759 Ha	

LT 617385 Schedule/Memorandum

Land registration district
North Auckland

Territorial authority
Far North District

Memorandum of Easements

Parcels shown with a prefix of *HL*- include height-limited boundaries

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right of way Right to drain water Right to convey electricity, telecommunications, water	A	Lot 1	Lot 4, Lot 5, Lot 6
" "	B	Lot 1	Lot 5, Lot 6
" "	C	Lot 1	Lot 6

Notes

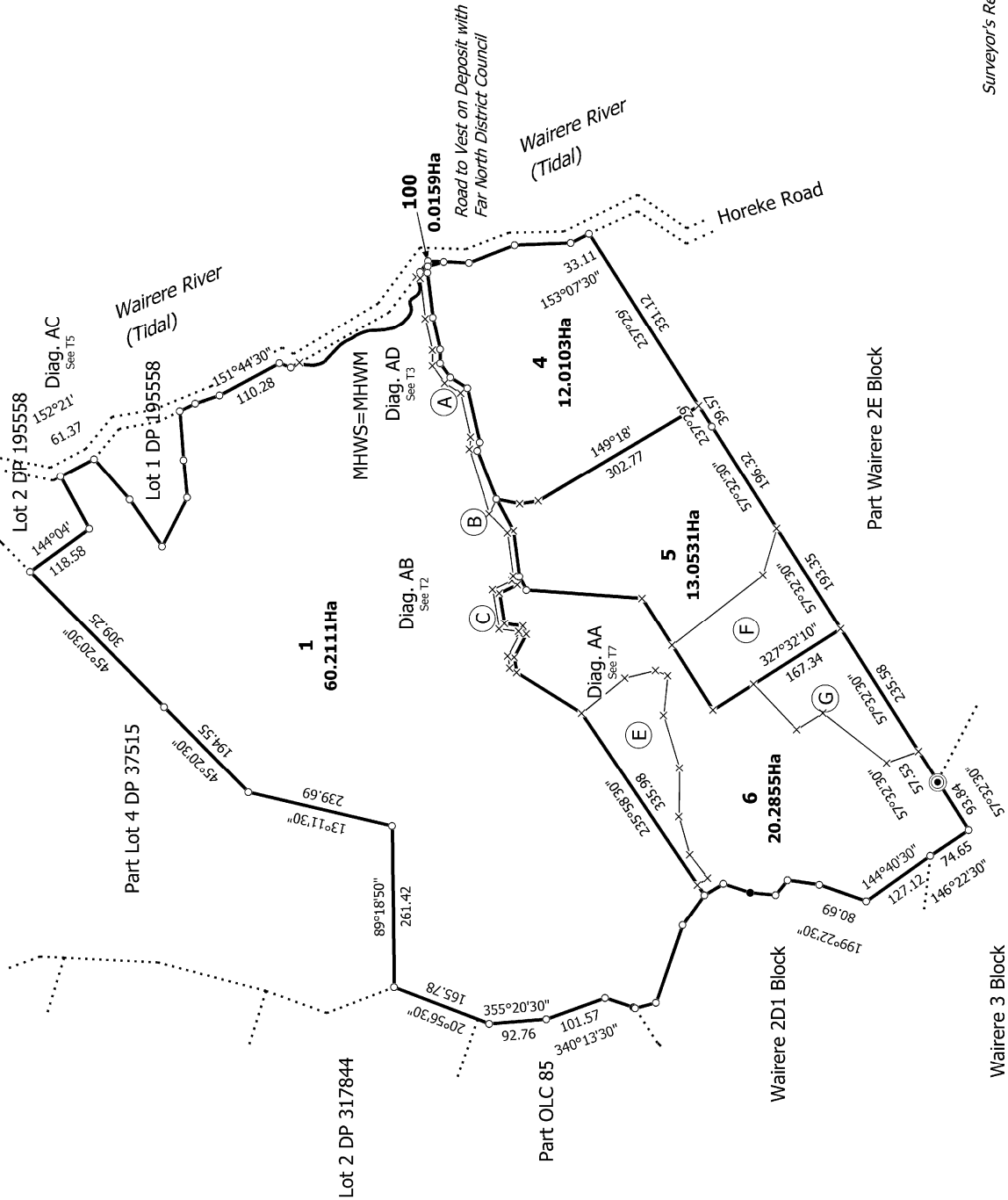
Area's E, F & G are to be subject to a consent notice condition

Open Space Covenant pursuant to Section 22 Queen Elizabeth the Second National Trust Act 1977 (Creating document 8198966.1) is to remain. Effects Lot 1 only



Diag. A Motukiore Road

Horeke Road



Surveyor's Ref: 8912 Taheke

Wairere 3 Block

Land District: North Auckland

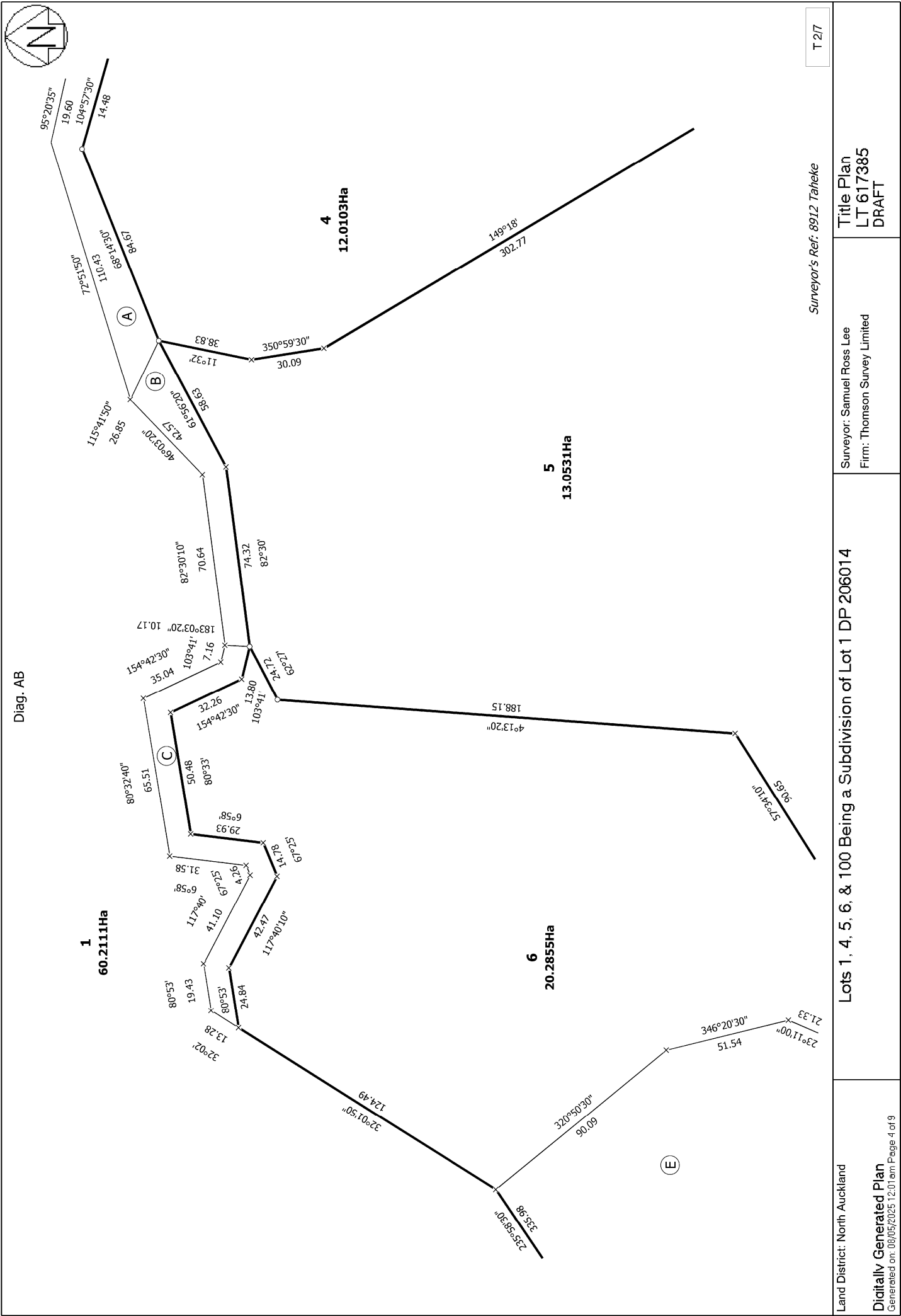
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Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014

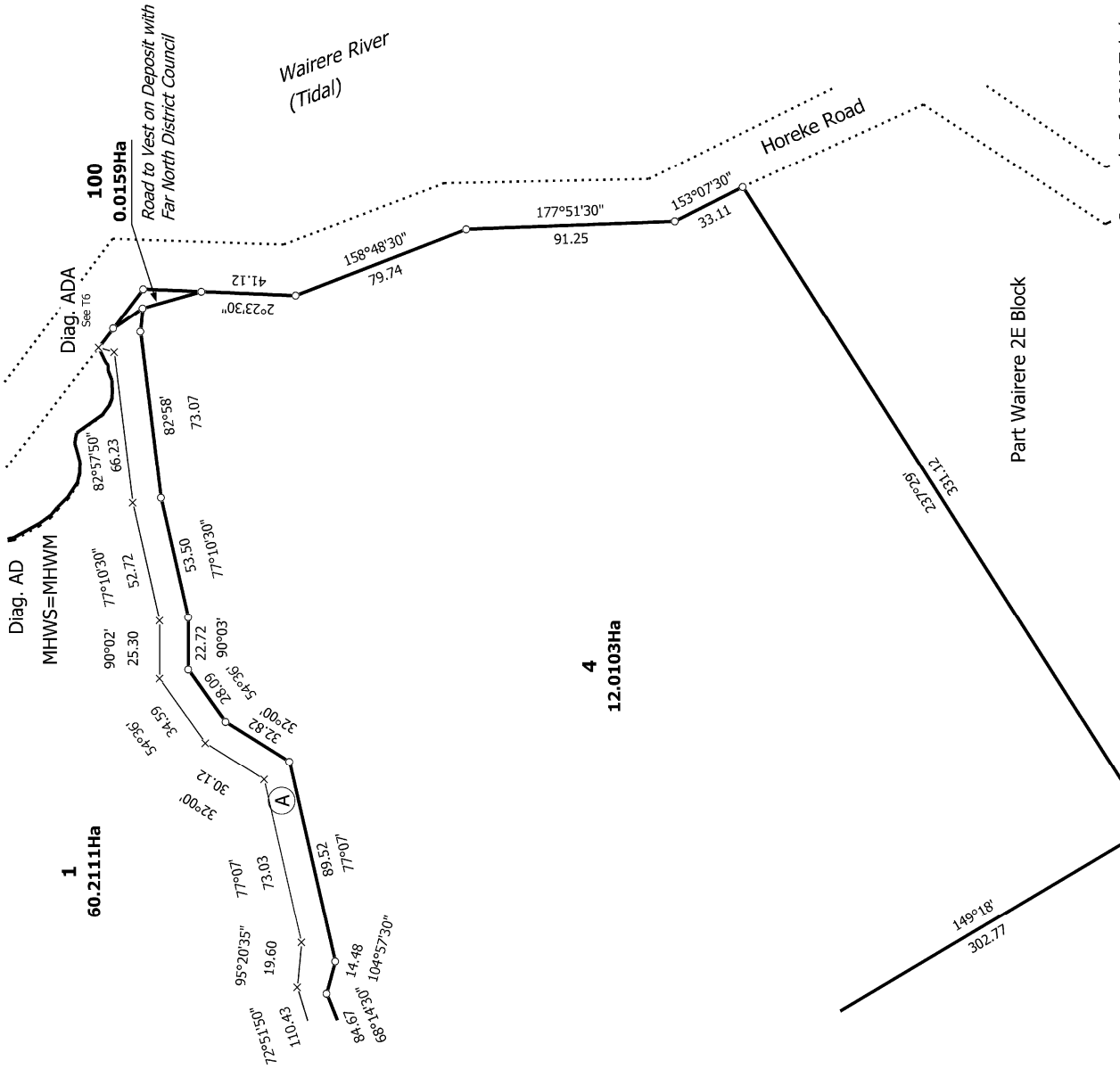
Surveyor: Samuel Ross Lee
Firm: Thomson Survey Limited

Title Plan
LT 617385
DRAFT

T 1/7

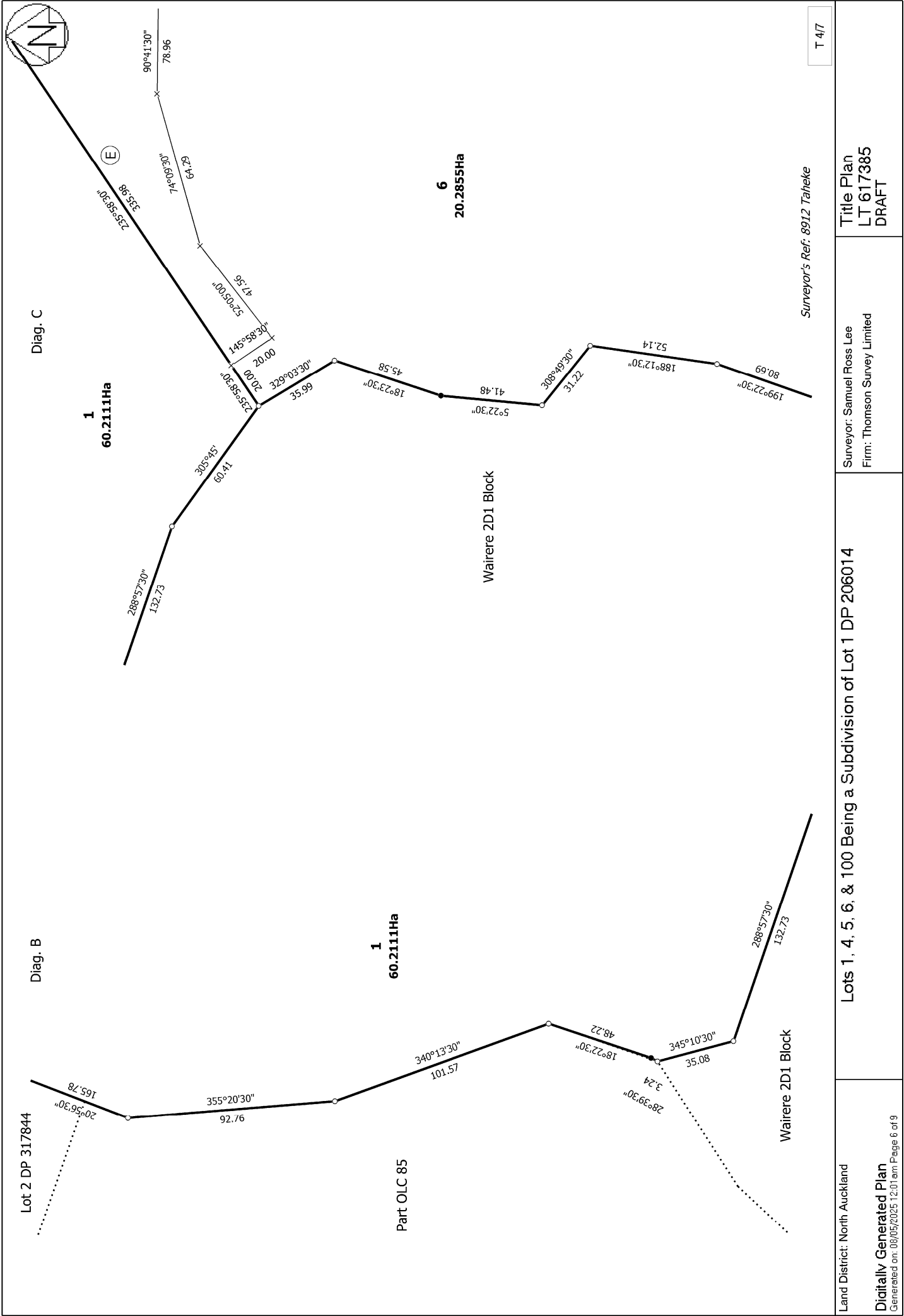


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Land District: North Auckland	Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014		Title Plan LT 617385 DRAFT
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T 3/7

Land District: North Auckland	Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014		Surveyor: Samuel Ross Lee Firm: Thomson Survey Limited	Title Plan LT 617385 DRAFT
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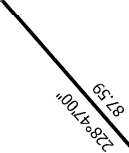
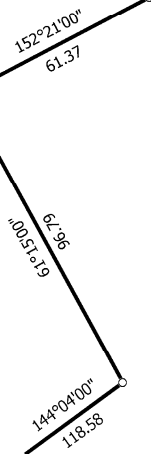
T 4/7

Surveyor's Ref: 8912 Taheke



Diag. AC

Lot 2 DP 195558



Lot 1 DP 195558



Horeke Road

Wairere River
(Tidal)



1
60.2111Ha



Surveyor's Ref: 8912 Taheke

T 5/7

Land District: North Auckland

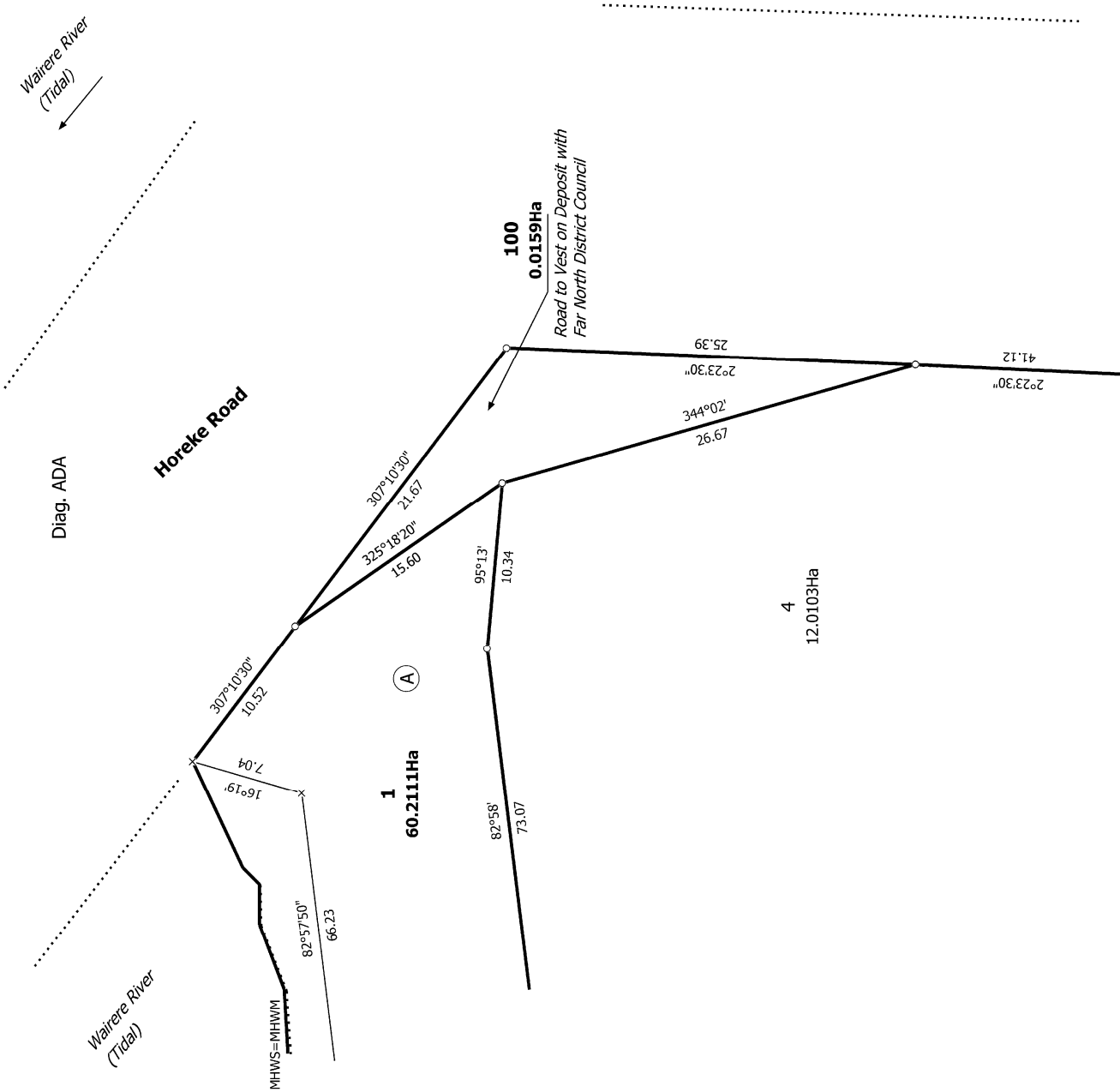
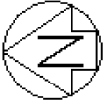
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Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014

Surveyor: Samuel Ross Lee
Firm: Thomson Survey Limited

Title Plan
LT 617385
DRAFT



Surveyor's Ref: 8912 Taheke

T 6/7

Land District: North Auckland

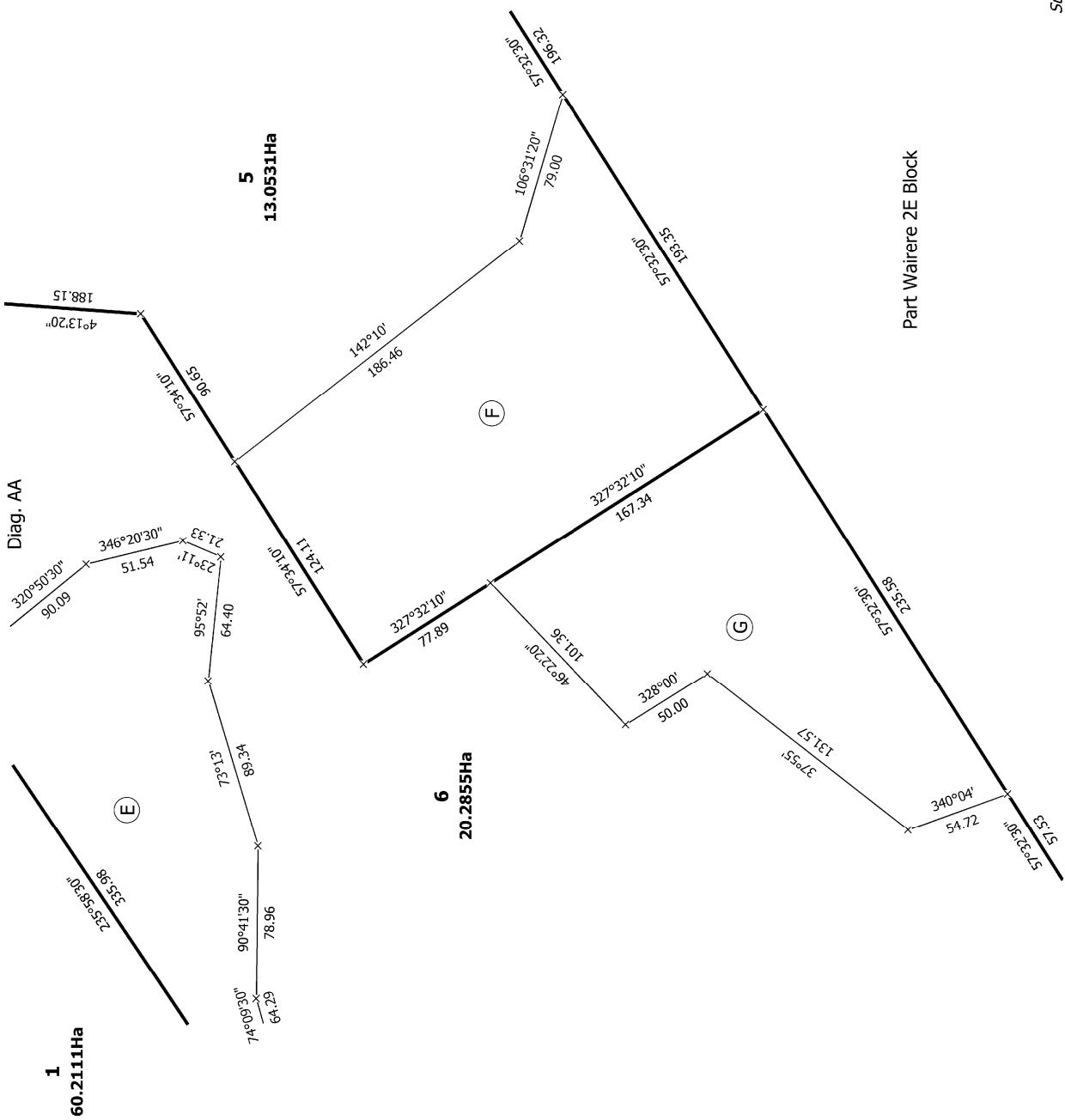
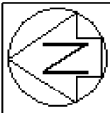
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Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014

Surveyor: Samuel Ross Lee
Firm: Thomson Survey Limited

Title Plan
LT 617385
DRAFT



Surveyor's Ref: 8912 Taheke

T 717

Land District: North Auckland	Lots 1, 4, 5, 6, & 100 Being a Subdivision of Lot 1 DP 206014	Surveyor: Samuel Ross Lee Firm: Thomson Survey Limited	Title Plan LT 617385 DRAFT
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**Far North
District Council**

FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (Subdivision)**

Resource Consent Number: 2200106-RMASUB

Pursuant to section 104 C of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Brian and Sandra Lee

To undertake a subdivision of Lot 1 DP 206014 zoned Rural Production and General Coastal into four lots (three additional).

Subject Site Details

Address: 125 Motukiore Road, Horeke 0475
Legal Description: Lot 1 DP 206014
Certificate of Title reference: NA-133C/860

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

Stage 1 Creation of Lots 1 & 2

1. The subdivision shall be carried out in accordance with the approved plans of subdivision referenced below prepared by Thomson's Survey revised date 4.11.19 and attached to this consent with the Council's "Approved Stamp" affixed to them:
 - Proposed Subdivision of Lot 1 DP 206014 – Overall Plan; and
 - Proposed Subdivision of Lot 1 DP 206014 – Stage 1.
2. The survey plan for Stage 1, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) Areas E, F, G as delineated on Stage 1 Scheme Plan to be subject to a Bush Protection Covenant (see condition 3(a)(ii))

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

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

(i) Upgrade of the existing vehicle crossing access for Lot 1 was not required at subdivision due to the proposed continued use of the lot as part of the wider farming unit. In the event of further subdivision creating additional lots, the vehicle crossing will likely be subject to upgrades to comply with Councils Engineering Standards **(Lot 1)**

(ii) The owner shall preserve the indigenous trees and bush as indicated on the survey plan as areas E, F and G 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 **(Lot 2)**.

(iii) 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 safety accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNA PAS4509.

Note: where means other than tank are proposed to be used for water supply for fire fighting purposes, approval is required from Fire and Emergency New Zealand confirming that the source and access are adequate **(Lots 1&2)**.

(iv) All habitable buildings of Importance level 2 and greater structures (as defined in AS/NZS 1170) will require engineering assessment for foundations and assessment of ground suitability. Design shall be by a Chartered Professional Engineer with recognised competence in relevant geotechnical, structural matters and include an indication of construction monitoring requirements for the foundation construction. The foundation design details and ground suitability assessment shall be submitted in conjunction with the Building Consent application. **(Lots 1&2)**.

(v) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system, the applicant must submit an onsite waste water report prepared a Chartered Professional Engineer or a Council approved report writer. The report shall identify suitable a suitable method of wastewater treatment for the proposed

development along with an identified effluent disposal area plus a reserve disposal area **(Lots 1&2)**.

(vi) In conjunction with the construction of any habitable building requiring building consent or associated impermeable surfaces on the lots, the lot owner shall submit to Council a stormwater management report and design for stormwater attenuation (where necessary) for approval the approval of Councils Resource Consent Engineer. The report must be prepared by a suitably qualified and experience practitioner (e.g. Chartered Professional Engineer)**(Lots 1&2)**.

(vii) Reticulated power supply and telecommunications services are not a requirement of this subdivision consent. The responsibility for providing these services is that of the property owner **(Lots 1&2)**.

Stage 2 Creation of Lots 4, 5 & 6

1. The subdivision shall be carried out in accordance with the approved plans of subdivision referenced below prepared by Thomson's Survey revised date 4.11.19 and attached to this consent with the Council's "Approved Stamp" affixed to them:

- Proposed Subdivision of Lot 1 DP 206014 – Overall Plan; and
- Proposed Subdivision of Lot 1 DP 206014 – Stage 2.

2. The survey plan for Stage 2, submitted for approval pursuant to Section 223 of the Act shall show:

(a) All easements as shown in the Memorandum of Easements schedule on Stage 2 Scheme Plan

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

(a) Either upgrade the existing vehicle crossing to ROW 'A' from Horeke Road to comply with Councils Engineering Standards FNDC/S/6 and 6B including double width crossing, and roadside vegetation trimming and sight benching to achieve compliant sight distances of 170m;

OR

Close existing vehicle crossing to ROW 'A' from Horeke Road and form a new crossing at a location within the lot boundary that achieves the required sight distances and is in accordance with Councils Engineering Standards FNDC/S/6 and 6B.

(b) 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 vehicle crossings being constructed or upgraded.

- (c) Provide formed and metalled access on ROW easements 'A' and 'H' to a 3m finished metalled carriageway width in accordance with Appendix 3B-1. 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.

Advice Notes

1. 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.
2. 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.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that there are no affected persons or affected customary rights group or customary marine title group.
2. The application is for a Restricted Discretionary resource consent, as such under 104C only those matters over which council has restricted its discretion have been considered, those of relevance to the proposal that have been considered are:
 - a. Property access
 - b. Natural hazards
 - c. Three waters
 - d. Power & telecommunications
 - e. Easements
 - f. Preservation of Vegetation
 - g. Effects on natural character of coastal environment
3. In accordance with an assessment under s104(1)(b) of the Act the proposal is consistent with the relevant statutory documents.
 - a) The Northland Regional Policy Statement 2018
 - b) Regional plans (including proposed)
 - c) New Zealand Coastal Policy Statement 2010
 - d) National Environmental Standards.

No other non – statutory documents were considered relevant in making this decision.

4. Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

Approval

This resource consent has been prepared by Alice Hosted - Consultant Planner (B&A) and is granted under delegated authority (pursuant to section 34A of the Act) from the Far North District Council by:



Pat Killalea, Principal Planner

Date: 18th November 2019

Right of Objection

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.

Lapsing Of Consent

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;

The consent is given effect to; or

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.

MEMORANDUM OF EASEMENTS

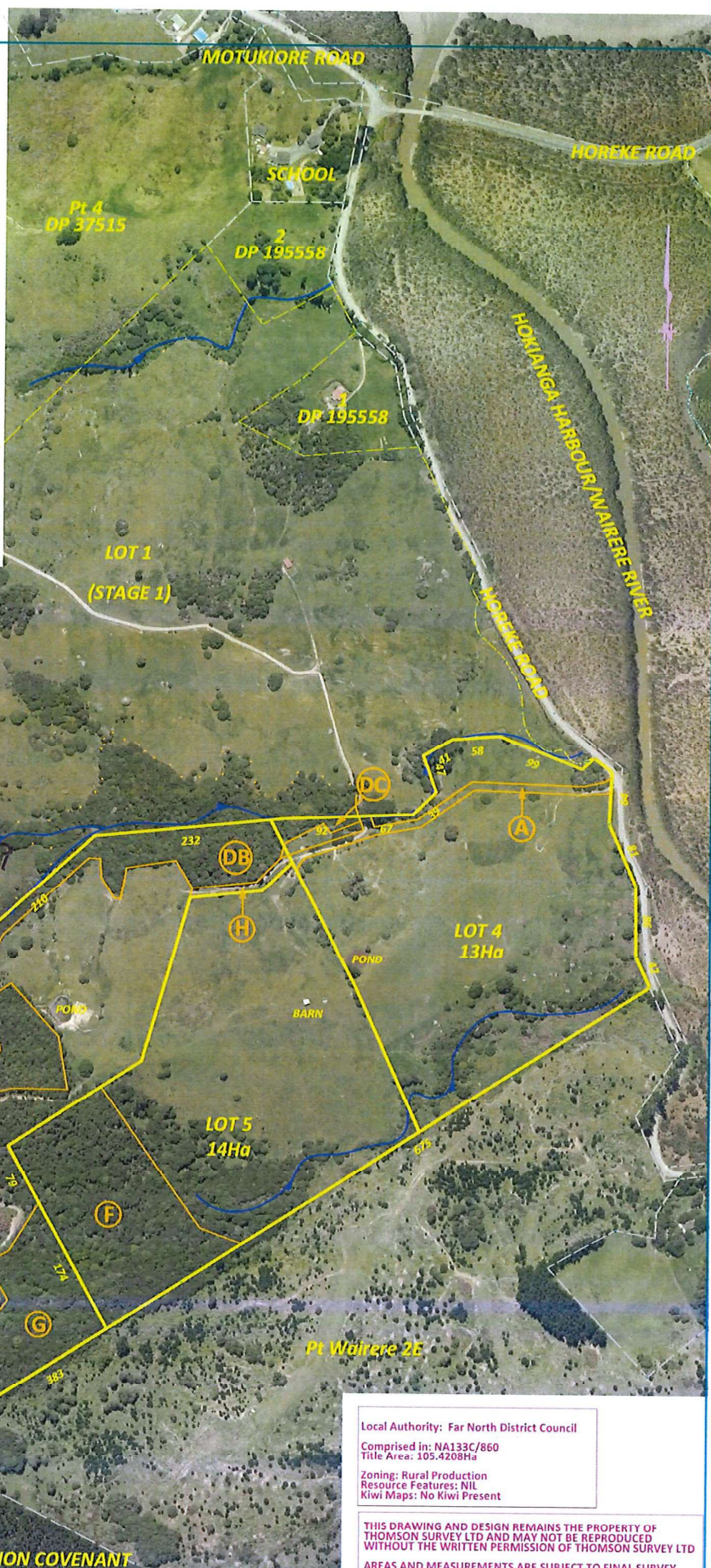
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY	(A)	LOT 4 HEREON	LOTS 5 & 6 HEREON

PROPOSED EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY	(A)	LOT 4 HEREON	LOT 1 HEREON
	(H)	LOT 6 HEREON	LOT 5 HEREON

PROPOSED EASEMENTS IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
TELECOMMUNICATIONS	(A)	LOT 4 HEREON	CHORUS NZ LTD
	(H)	LOT 6 HEREON	CHORUS NZ LTD



APPROVED PLAN

BY PLANNER: *PJ Killelea*
 CO 2200106 Date 18/11/2019

Local Authority: Far North District Council
 Comprised in: NA133C/860
 Title Area: 105.4208Ha
 Zoning: Rural Production
 Resource Features: NIL
 Kiwi Maps: No Kiwi Present

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD
 AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY
 TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

AREAS E, F, G TO BE SUBJECT TO A BUSH PROTECTION COVENANT
 AREAS SHOWN DB & DC ARE SUBJECT TO EXISTING QEII OPEN SPACE COVENANT SEE COV 8198966.1



315 Kerikeri Rd
 P.O. Box 372 Kerikeri
 Email: kerikeri@tsurvey.co.nz
 Ph: (09) 4077360 Fax (09) 4077322

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION
 OF LOT 1 DP 206014
 STAGE 2
 PREPARED FOR: LEE

Survey	Name	Date	ORIGINAL
Design			SCALE SHEET SIZE
Drawn	SL	19.08.19	
Approved			
Rev	SL	4.11.19	1:5000 A3
8912 TAHEKE SCHEME.LCD			

Surveyors
 Ref. No:
8912
 Series
 Sheet of

MEMORANDUM OF EASEMENTS

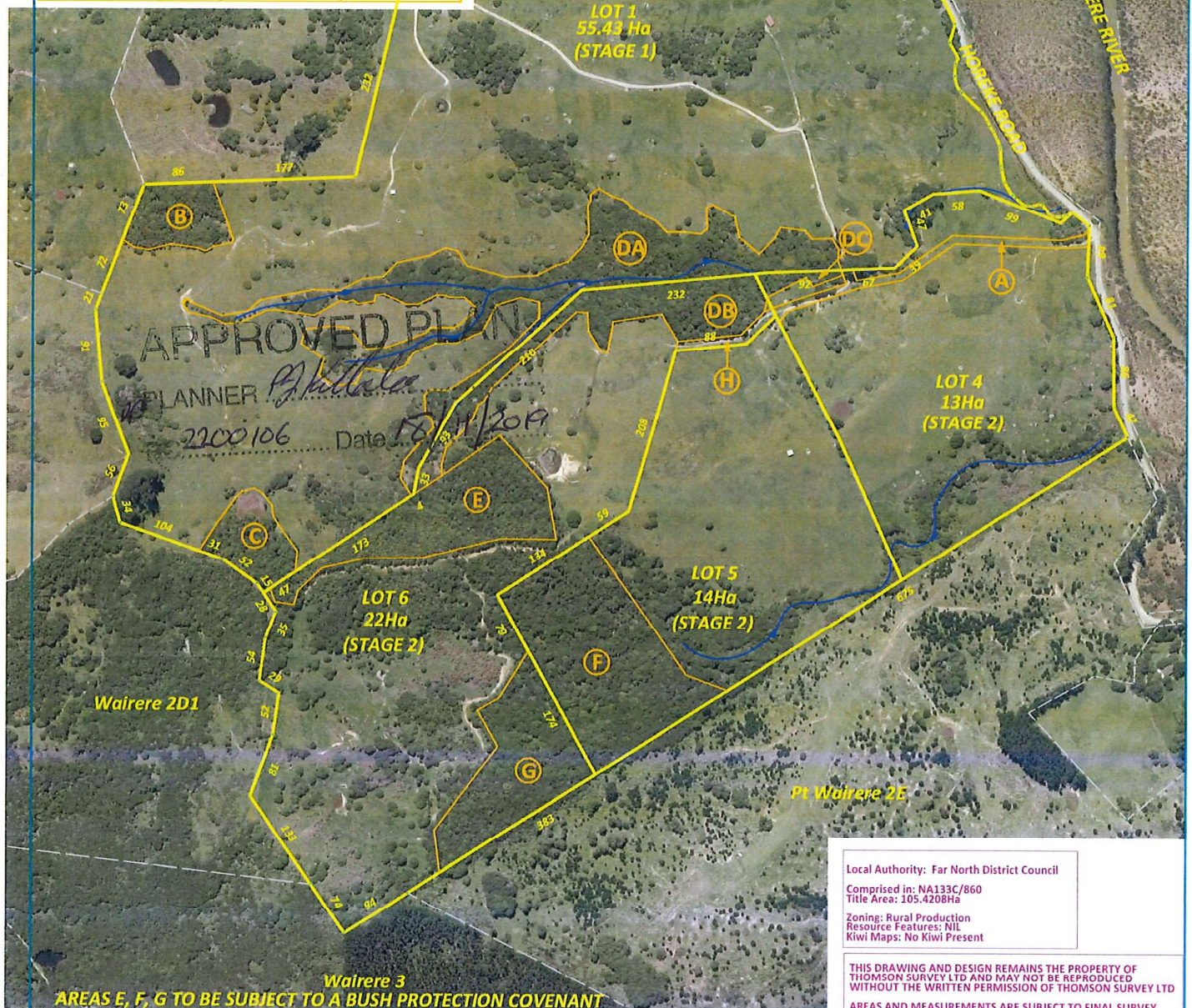
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY	(A)	LOT 4 HEREON	LOTS 5 & 6 HEREON

PROPOSED EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY	(A)	LOT 4 HEREON	LOT 1 HEREON
	(H)	LOT 6 HEREON	LOT 5 HEREON

PROPOSED EASEMENTS IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
TELECOMMUNICATIONS	(A)	LOT 4 HEREON	CHORUS NZ LTD
	(H)	LOT 6 HEREON	CHORUS NZ LTD



Local Authority: Far North District Council

Comprised in: NA133C/860
 Title Area: 105.4208Ha

Zoning: Rural Production
 Resource Features: NIL
 Kiwi Maps: No Kiwi Present

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 Ph: (09) 4077360 Fax (09) 4077322

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION OF LOT 1 DP 206014 OVERALL PLAN

PREPARED FOR: LEE

Survey	Name	Date	ORIGINAL
Design			SCALE
Drawn	SL	19.08.19	SHEET SIZE
Approved			1:5000 A3
Rev	SL	4.11.19	
8912 TAHEKE SCHEME LCD			

Surveyors
 Ref. No:
8912
 Series
 Sheet of


**DECISION ON EXTENSION OF LAPSE PERIOD
UNDER SECTION 125 OF THE RESOURCE MANAGEMENT ACT 1991**

Council Reference: 2200106-RMAEXT/A
Applicant: Thomson Survey Attn Sam Lee
Property Address: 125 Motukiore Road, Horeke 0475
Legal Description: Lot 1 DP 206014 (NA133C/860)

Acting under deleted authority, pursuant section 125(1A)(b) of the Resource Management Act 1991 this application to extend the lapse period is granted, and resource consent 2200106-RMASUB now lapses 8 years after the date it was granted, being 18 November 2027.

The reasons this lapse date has been extended are:

- a) Substantial progress or effort has been and is continuing being made to implement the original consent;
- b) No persons are considered to be affected by the granting of the extension;
- c) The extension does not affect the relevant policies and objectives of the Operative District Plan 2009 or the Proposed District Plan 2022.



Name Patricia (Trish) Routley
Title: Manager Resource Consents

Date: 26 November 2024

Notes

1. The consent holder is reminded of their obligations to continue to comply with all conditions of the originally granted resource consent.
2. If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) 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.

Sam Lee

From: Malcolm Lucas [mlucas@qeii.org.nz]
Sent: Monday, 1 May 2023 3:11 pm
To: Sam Lee
Subject: RE: Lee Subdivision Proposal - Taheke

Kia ora Sam

Per your email from Friday – thanks for your patience, happy to confirm QEII’s consent to the new lot boundaries and to the fencing just being as set out in the covenant deed (being to keep them in “good order and condition). I understand the fences are stockproof at the moment, and can confirm that there’s no requirement that they be upgraded as part of getting our consent to the subdivision.

For future reference, I should also note that Mieke Kapa has started as the QEII rep responsible for your this covenant now. Mieke can be reached on 027 494 0733 or at mkapa@qeii.org.nz.

If you need this in writing on an “affected persons” form or something, please just send that through and I’ll get it executed on behalf of QEII.

I appreciate the ball is in our court on your third point RE the \$1204, I’ll have another chat to the Exec and be in touch with an answer when I can.

Ngā mihi

Malcolm Lucas ([he/him](#)) – Team Lead – Legal / Kaiārahi Tīma – Ture | QEII National Trust – Ngā Kairauhī Papa

DD: 04 471 4191 | Main line 0800 467 367 (04 472 6626)

From: Sam Lee <sam@tsurvey.co.nz>
Sent: Monday, April 17, 2023 9:01 AM
To: Malcolm Lucas <mlucas@qeii.org.nz>
Subject: FW: Lee Subdivision Proposal - Taheke

Hi Malcolm

Thanks for looking into this. Please find scheme plan attached.

Regards



Sam Lee

Survey Manager

B. Surv. | N.Z.I.S.

Office: 315 Kerikeri Road, Kerikeri 0230

Postal: PO Box 372 Kerikeri 0245

Phone: 09 4077360 | e. sam@tsurvey.co.nz

From: Sam Lee [<mailto:sam@tsurvey.co.nz>]
Sent: Thursday, 6 April 2023 4:28 pm
To: 'Gareth Eloff'
Cc: 'Sandra Lee'; 'Brian Lee'
Subject: Lee Subdivision Proposal - Taheke

Hi Gareth

You may recall looking into the complaint I previously made in regards to a QEII’s staff member handling of the proposed subdivision of this property.

The problem that eventuated at that time, has still not been resolved. The problem is that we have a resource consent issued which cannot be implemented.

The consented subdivision cannot be implemented due to the change in the QEII requirements, between what Blunden initially gave in writing as would be OK, to what eventually came from QEII head office, which forbids the division of the QEII bush block.

In order to progress the proposed subdivision we now propose a different layout which does not split ownership of the QEII bush area. Please see attached.

Firstly - We request that QEII give their approval for the attached proposal to proceed.

Secondly - We request that all requirements to upgrade the existing QEII fences be withdrawn. The fence upgrade was previously required due to the resulting change in landuse from Dairy farming, to lifestyle block ownership, that would have occurred.

The attached proposal means there would be no change in the landuse surrounding the QEII areas (nor would there be any new adjoining owners to those areas). The new layout means that all the land surrounding the QEII bush areas are to remain in the ownership of the main Dairy Farm unit.

Thirdly We invite QEII to contribute to the costs to resolve the problem of having resource consent that cannot be implemented. An application for a variation to the existing consent is required. FNDC charge a fee of \$1204 for this. We invite QEII to cover the FNDC processing fee. There are other costs to consider also, such as the cost of draughting the new scheme plan, and the planners time making the variation application.

Please feel free to forward this on to the appropriate person if required.

Thank you and Regards



Sam Lee

Survey Manager

B.Surv. | N.Z.I.S.

Office: 315 Kerikeri Road, Kerikeri 0230

Postal: PO Box 372 Kerikeri 0245

Phone: 09 4077360 | e. sam@tsurvey.co.nz

-----Original Message-----

From: Gareth Eloff [<mailto:geloff@qeii.org.nz>]

Sent: Thursday, 5 March 2020 12:44 pm

To: sam@tsurvey.co.nz

Subject: Complaint

Dear Sam,

Attached please find a scanned copy of the letter sent to you today.

Kind regards

Gareth

From: Greg Blunden - Far North [<mailto:GBlunden@qeii.org.nz>]

Sent: Tuesday, 17 December 2019 1:35 p.m.

To: Sam Lee Thomson Survey

Cc: 'Brian Lee'; sandy@tsurvey.co.nz; Olivia Nyce

Subject: Re: Lee subdivision request - QEII covenant 5-02-900

Hi Sam,

Anything like this has to be (ultimately) considered by the Board through delegated authority, after my land management team at Head office have reviewed my advice.

Greg

From: Sam Lee Thomson Survey <sam@tsurvey.co.nz>

Sent: Tuesday, 17 December 2019 1:31 PM

To: Greg Blunden - Far North <GBlunden@qeii.org.nz>

Cc: 'Brian Lee' <brosslee689@gmail.com>; sandy@tsurvey.co.nz <sandy@tsurvey.co.nz>; Olivia Nyce <onyce@qeii.org.nz>

Subject: RE: Lee subdivision request - QEII covenant 5-02-900

Greg, you gave it to me in writing that you agreed to allow the area to be subdivided as I had proposed. I had earlier detailed to you that it was a practical boundary location following gullies, especially when access was considered.

Perhaps read the email chain below to refresh your memory.

On the 4th November you wrote:

"From: Greg Blunden - Far North [<mailto:GBlunden@qeii.org.nz>]
Sent: Monday, 4 November 2019 9:02 a.m.
To: Sam Lee Thomson Survey; 'Sandra Lee'
Subject: Subdivision

Hi Sam and Sandra,

Block D may be subdivided as per request, with no further subdivision allowed of this block and suitable fencing installed around the covenant.

A letter viz same is to follow from Head office.

Cheers, Greg Blunden"

The QEII official letter does not match your statement.

It seems you have shifted the goal posts on us at the last minute. The official letter details that it must all be in one ownership which now causes problems.

We discussed adding dead wires – you did not mention a minimum post spacing of 6m. I have said this is not such an issue to implement, but I am simply pointing out that this may result in posts being spaced about 3m apart – I didn't think that this was the intention? So suggested a more practical wording for you to consider

From: Greg Blunden - Far North [<mailto:GBlunden@qeii.org.nz>]
Sent: Tuesday, 17 December 2019 12:53 p.m.
To: Sam Lee Thomson Survey
Cc: 'Brian Lee'; 'Sandra Lee'; Olivia Nyce
Subject: Re: Lee subdivision request - QEII covenant 5-02-900

Hi Sam,

No we did not agree by what you have said.

I asked for a reduction from 4 to 2 owners of the covenant block and I clearly specified that the fence had to be substantially improved because land use was changing from a dairy farm to lifestyle. And 8m between posts is not normal except possibly on a dairy farm with good power.

Greg

From: Sam Lee Thomson Survey <sam@tsurvey.co.nz>
Sent: Tuesday, 17 December 2019 10:53 AM
To: Greg Blunden - Far North <GBlunden@qeii.org.nz>
Cc: 'Brian Lee' <brosslee689@gmail.com>; 'Sandra Lee' <sandra.lee@email.com>; Olivia Nyce <onyce@qeii.org.nz>
Subject: RE: Lee subdivision request - QEII covenant 5-02-900

Hi Greg

I'm only pushing for what we had agreed to. FNDC wanted "written confirmation" that QEII consented to the subdivision. Your email correspondence satisfied the condition so it was submitted (Partly due to time frames).

I understood that we had reached agreement as the email correspondence demonstrates - This clearly approved the division of Area D.

Regards

Sam Lee
Survey Manager
B.Surv. | N.Z.I.S.
315 Kerikeri Road, Kerikeri 0230
PO Box 372 Kerikeri 0245
p. 09 4077360 | e. sam@tsurvey.co.nz

From: Greg Blunden - Far North [<mailto:GBlunden@qeii.org.nz>]
Sent: Tuesday, 17 December 2019 9:40 a.m.
To: Sam Lee Thomson Survey
Subject: Re: Lee subdivision request - QEII covenant 5-02-900

Hi Olivia,

I'm just back from wedding week away.

Sam's pushing the envelope here - he shouldn't have submitted anything without our agreement. I'll be speaking to him today and get back to you.

Greg

From: Sam Lee Thomson Survey <sam@tsurvey.co.nz>
Sent: Friday, 13 December 2019 2:30 PM
To: Olivia Nyce <onyce@qeii.org.nz>
Cc: Greg Blunden - Far North <GBlunden@qeii.org.nz>; 'Brian Lee' <brosslee689@gmail.com>; 'Sandra Lee' <sandra.lee@email.com>
Subject: RE: Lee subdivision request - QEII covenant 5-02-900

Hi Olivia

The conditions detailed in the letter are not as discussed and agreed with Greg. Please see correspondence below regarding the division of Area D.

It will now require a variation to the subdivision consent to alter the proposed boundary layout as your letter requires. This would incur costs of around \$1500 and cause delays of around 6 weeks.

The post spacing condition was also not previously discussed as a requirement. I don't expect this to be so much of an issue, although I understand that the posts are generally spaced at around 6 - 8m at present. To implement a 6m max post spacing would then result in posts only 3 - 4m apart once additional posts are placed halfway between what's already there.

I therefore suggest an average post spacing of 8m may be a more reasonable condition.

Can you please review and re-issue the letter?

Regards

Sam Lee
Survey Manager
B.Surv. | N.Z.I.S.
315 Kerikeri Road, Kerikeri 0230
PO Box 372 Kerikeri 0245
p. 09 4077360 | e. sam@tsurvey.co.nz

