



**Far North
District Council**



Application No: RC-2070908-RMASUB

Private Bag 752, Memorial Ave
Kaitiaki 0400, New Zealand
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5 November 2007

MLP LLC
C/- Bluewater Group Holdings Ltd
PO Box 1150
Shortland St
Auckland 1140
Attn: Peter Jones

Dear Sir

Re: RC-2070908-RMASUB – RESOURCE CONSENT APPLICATION

I am pleased to inform you that your application for resource consent has been approved. The decision is enclosed for your information. The application was considered and determined under authority delegated to the Resource Consents Manager of the Far North District Council, pursuant to Section 34(4) of the Resource Management Act 1991.

It is very important that you understand and comply with any conditions of consent. If you have any questions or concerns about any aspect of your consent or its conditions, please contact the Planner who prepared the decision.

Your consent expires five years from the date that you receive this decision. Please note that under Section 125 of the Resource Management Act 1991, your consent will lapse unless you give effect to the consent by way of obtaining Section 223 (survey plan) approval from the Council within the five year period.

If you are dissatisfied with the decision or any part of it, you have the right (under Section 357 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 your receipt of this decision.

Depending on the costs charged against your consent, you will find enclosed either an invoice or a credit note. Any additional costs shown on an invoice need to be paid as soon as possible. If you receive a credit note, you have the option of requesting a refund by cheque, or transferring the amount to any other Council account.

If you have any further queries regarding this matter, please contact the reporting Planner.

Yours faithfully

AKH

**Customer Services Officer – Planning Consents
Regulatory & Customer Services Department**

Final Invoice to come.

FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN

IN THE MATTER OF
The Resource Management Act 1991

AND
IN THE MATTER OF
an application for Resource Consent
under the aforesaid Act by

MLP LLC

FILE NUMBER RC-2070908-RMASUB

That pursuant to Sections 104B, 108 and 220 of the Resource Management Act 1991, the Council grants its consent to MLP LLC to subdivide a property at Rangihoua Road & Oihi Road, Kerikeri, being more particularly described as Lots 30, 36, 38, 39 & 42 DP 363154 contained in certificate of title reference CT-257216 (North Auckland Registry) to create four additional sites, subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Donaldsons, referenced 5249, dated 10/05/2007, and attached to this consent with the Council's "Approved Plan" stamp affixed to it.
2. That, prior to approval under Section 223 of the Act, the survey plan shall show the following amalgamation condition:
 - (a) That Lots 6-8 hereon be held with Lot 50 DP 377171 (CT 314568) and that one certificate of title be issued to include all parcels. (see LINZ reference 688532)
3. That before a certificate is issued pursuant to Section 224 of the Act, the applicant shall:
 - (a) Provide evidence that electricity and telecommunications have been reticulated to the boundary of Lots 1-5.
 - (b) Provide a formed entrance to lots 1-5 complying with the Council Engineering Standard FNDC/S/6 & 6B.
 - (c) Consent notices, in accordance with section 221 of the Resource Management Act 1991 shall be registered against the titles of the affected allotments. The consent notices shall include the following provisions:

Lots 1-5

- (i) That one dwelling house, together with one accessory building not exceeding 50% of the house gross floor area, including water storage facilities, may be established on each lot, except as may be provided for by a subsequent resource consent or by the district plan as a permitted activity.

- (ii) That the dwelling house on each lot must be situated so that no more than 70% of the dwelling's footprint extends in any direction from the designated centre position as shown by a circle on the approved plan of subdivision as prepared by Donaldsons, reference 5249, dated 10/05/07.
- (iii) A Landscape Plan shall be submitted for the approval of Council at the time that a Building Consent is applied for. The Landscaping Plan shall be prepared by a suitably qualified and experienced professional and shall detail the means of reducing the visual impact of the buildings, associated structures and earthworks by way of suitable plantings, building material and external colours. The plan is to identify the species of plants to be used, their numbers and locations on the site, and the means of maintaining these plants for a minimum of two further planting seasons or two years, whichever is the longer. The plants used shall be appropriate to the landscape and ecological area that they are to be planted in and be native stock and where practicable be derived or sourced from local stock. Where any external colours are painted or powder coated, they shall have reflectivity of no more than 20%.
- (iv) Existing tracks for vehicle access to the proposed house site (where they exist) shall be used. Any earthworks, including cut-faces which are required to form the access tracks to a residential standard shall be re-vegetated upon completion of the works, to ensure that any earthworks scars are integrated into the site.
- (v) Asphalt or locally sourced gravel shall be utilised for accesses. If concrete is used for slopes steeper than 1:6, the texture or colour of the concrete shall be ameliorated by the use of oxides or exposed aggregate surfaces.
- (vi) No occupier of the land shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as ferrets, cats or dogs) which have the potential to be kiwi predators.
- (vii) The foundations of any dwelling shall be designed by a Chartered Professional Engineer. The details of the design shall be submitted to Council in conjunction with any relevant application for Resource Consent or Building Consent.
- (viii) Wastewater disposal for new dwellings shall be by way of aerated systems and trickle irrigation with loadings restricted to 5mm/m²/day, or alternative systems designed to satisfy the requirements of TP 58. The details of the chosen design as prepared by a Chartered Professional Engineer shall be submitted to Council in conjunction with a Building Consent application.
- (ix) Stormwater disposal from new buildings shall be in accordance with part 6 of the Haign Workman suitability report dated 10 April 2007, job no. 07 122 submitted as Annexure 7 to the subdivision application. Any Building Consent application shall provide details to demonstrate compliance with this condition.
- (x) No subdivision of Lots 1-5 shall be allowed.

Lot 1

- (i) Any building constructed on Lot 1 shall not exceed a maximum height of 7 metres and shall not exceed RL 79.0m as shown on the topographical plan

prepared by Donaldsons, reference 5249 dated 26/10/07 and attached to the consent notice. For the purpose of calculating height, account shall not be taken of:

- Radio or television aerials,
- Chimneys subject to the maximum height not exceeding 10 metres.
- Telecommunications or radio communication antennas not exceeding 1.2 metres in any horizontal direction or 3 metres in any vertical direction subject to the maximum height not exceeding 10 metres.

For the purpose of this condition height shall be the vertical distance between ground level (as shown on the attached Donaldson topographical plan) at any point and the highest part of the building immediately above that point.

To demonstrate compliance with this condition any relevant Resource Consent or Building Consent application shall include certification from a Licensed Cadastral Surveyor.

Lot 2

(i)

Any building constructed on Lot 2 shall not exceed a maximum height of 8 metres. For the purpose of calculating height, account shall not be taken of:

- Radio or television aerials,
- Chimneys subject to the maximum height not exceeding 10 metres.
- Telecommunications or radio communication antennas not exceeding 1.2 metres in any horizontal direction or 3 metres in any vertical direction subject to the maximum height not exceeding 10 metres.

For the purpose of this condition height shall be the vertical distance between ground level (existing at time of subdivision approval) at any point and the highest part of the building immediately above that point.

To demonstrate compliance with this condition any relevant Resource Consent or Building Consent application shall include certification from a Licensed Cadastral Surveyor.

Lots 3, 4 & 5

(i)

Any building constructed on Lots 3, 4 or 5 shall not exceed a maximum height of 9 metres. For the purpose of calculating height, account shall not be taken of:

- Radio or television aerials,
- Chimneys subject to the maximum height not exceeding 10 metres.
- Telecommunications or radio communication antennas not exceeding 1.2 metres in any horizontal direction or 3 metres in any vertical direction subject to the maximum height not exceeding 10 metres.

For the purpose of this condition height shall be the vertical distance between ground level (existing at time of subdivision approval) at any point and the highest part of the building immediately above that point.

To demonstrate compliance with this condition any relevant Resource Consent or Building Consent application shall include certification from a Licensed Cadastral Surveyor.

After consideration of the application under Section 104, the following reasons are given for this decision pursuant to Section 113 of the Act:

- A. Consideration was given to the Far North Operative District Plan. Particular consideration was given to Chapters 8 & 14 and the associated appendices of the Operative District Plan. The proposal was also assessed against the relevant District Wide Provisions outlined in Volume 2 of the Proposed Plan.

- B. The principal matters which required consideration were potential effects on amenity and character of the area. It is considered that the development intensity is similar to that which exists and conditions of consent will result in appropriate development with limited visual effects.
- C. Written approval was obtained from all persons and interested parties who might be adversely affected by the granting of consent to the proposal including iwi, New Zealand Historic Places Trust and the Department of Conservation, with the exception of an adjoining neighbour. The application was therefore subject to limited service. No submissions in opposition were received.
- D. The imposed conditions will ensure that the effect of the consent will be compliance with the relevant provisions of the applicable District Plan, and that such conditions will adequately avoid, or mitigate to a minor impact level, the expected adverse effects on the environment.
- E. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the two relevant District Plans.

ADVICE NOTE

If any subsurface archaeological sites or remains are uncovered during the development of the subdivision, all earthworks in the vicinity shall cease and local iwi and the New Zealand Historic Places Trust shall be contacted immediately so that appropriate action can be taken.

STATUTORY INFORMATION

Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates is subject to development contributions.

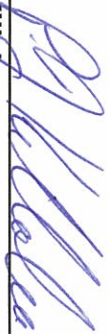
You will be advised of the assessment of the development contributions payable under separate cover in the near future.

It is important to note that the development contributions must be paid prior to commencement of the work or activity to which this consent relates or, in the case of a subdivision, prior to the issue at a section 224 (c) certificate.

Further information regarding council's development contributions policy may be obtained from the long term council community plan (LTCCP) or councils web page at www.fncc.govt.nz

DECISION PREPARED BY: Murray McDonald, Consultant Resource Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:



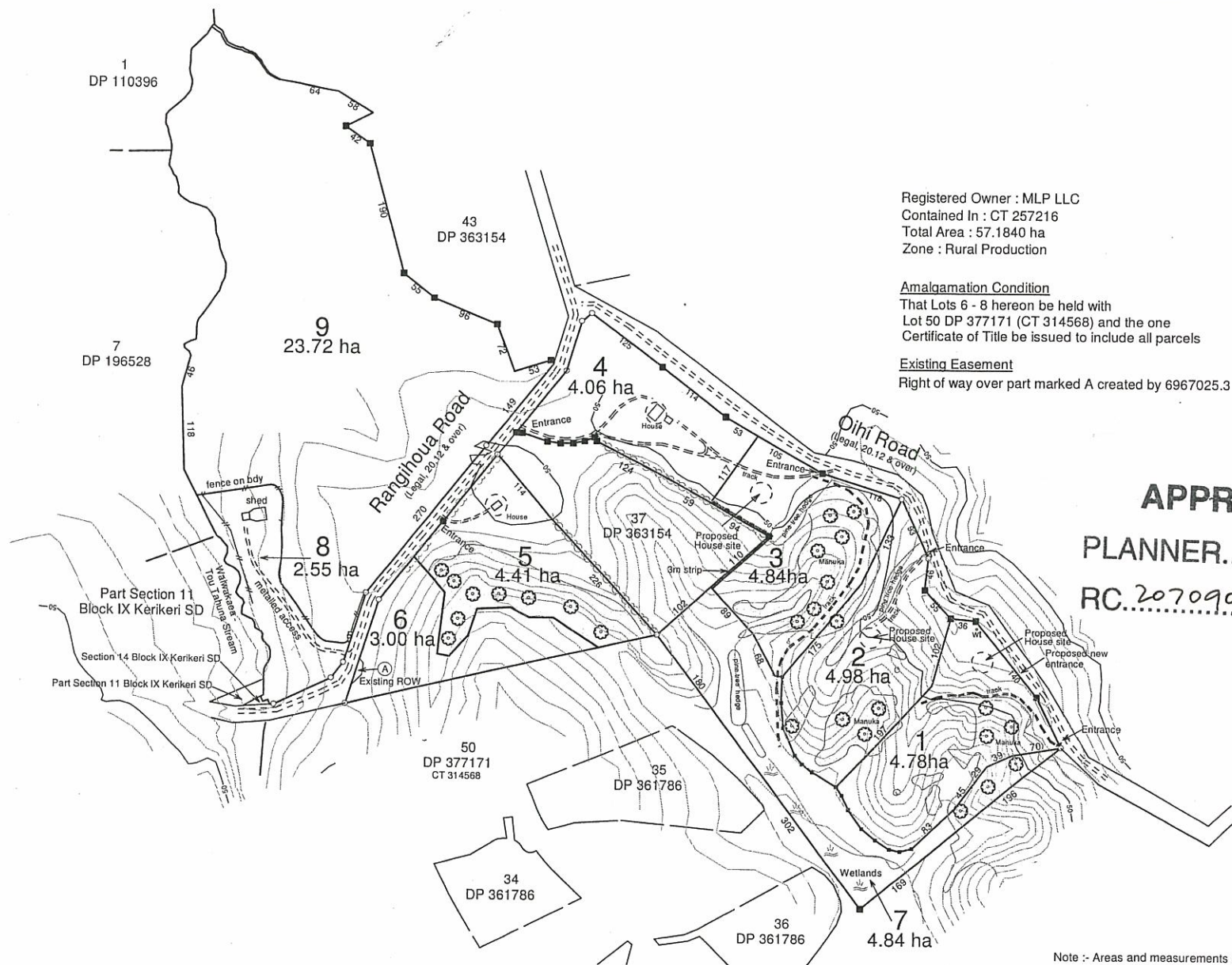
Pat Killalea

RESOURCE CONSENTS MANAGER

5/1 November 2007

DATE

RC-2070908-RMASUB



DONALDSONS

registered land & engineering surveyors
 90 kerikeri road, kerikeri, northland, n.z.
 tel.09-4079182 fax.09-4077366 email bobdon@xtra.co.nz



Proposed Subdivision of Lots 30,36,38,39,42 DP 363154

Mountain Landing

5249schm-with-3m-strip - schm

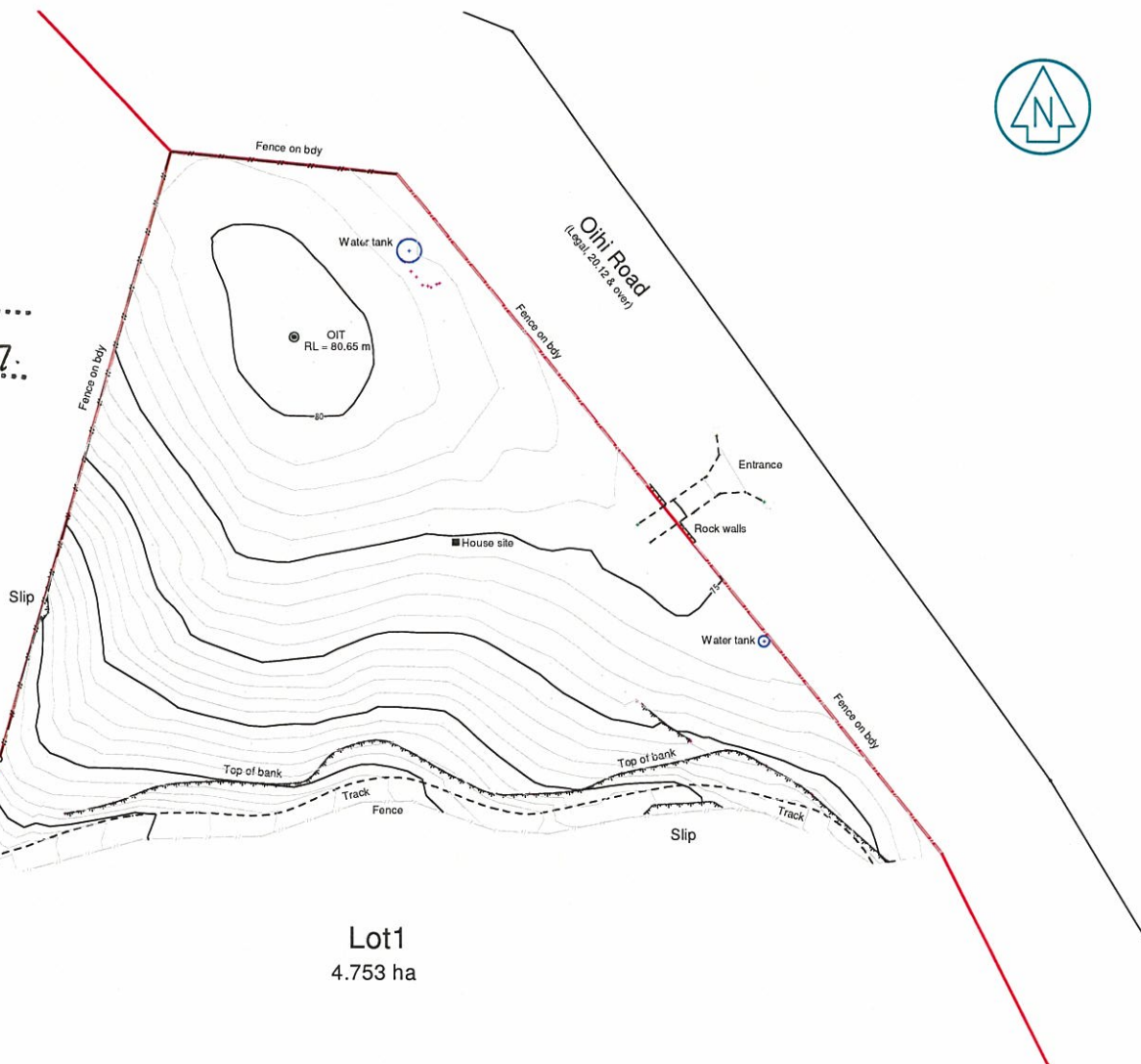
10/05/2007

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Of

5249

APPROVED PLAN
 PLANNER... *mmg* *7/07*
 RC. 2070908 DATE 5/11/07.



Lot1
4.753 ha

DONALDSONS

registered land & engineering surveyors
 90 kerikeri road, kerikeri, northland, n.z.
 tel.09-4079182 fax.09-4077366 email bobdon@xtra.co.nz



Topographic survey of Lot 1 - Mataka block

Mountain Landing

5249lot1-topo-df - Drawing001

26/10/2007

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Of

5249