

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 | ☐ Discharge: Total volume = <input type="text"/> m ³ |
| ☐ Fast Track Land Use* | <i>Note; volumes >3m³ requires NRC Consent.</i> |
| ☐ Change of Consent Notice (s.221(3)) | ☐ Subdivision |
| ☐ Certificate of Compliance (s.139) | ☐ Existing Use Certificate (s.139A) |
| ☐ Extension of time (s.125) | ☐ Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) |
| ☐ Other (please specify) <input type="text"/> | |

**The fast track is for simple land use consents and is restricted to consents with a controlled activity status.*

3. Would you like to opt out of the fast track process?

☐ Yes ☐ No

4. Consultation

Have you consulted with iwi/Hapū? ☐ Yes ☐ No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact:
The Resource Consents Planning Technicians, planning_technicians@fndc.govt.nz

5. Applicant details

Name/s:

Bevin and Donna MacCarthy

Email:

Phone number:

Postal address:

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

Postcode

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? ☐ Yes ☒ No

If yes, please provide details.

6. Address for correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

Steven Sanson

Email:

Phone number:

Home

Postal address:

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

Postcode

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

7. 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:

Property address/
location:

8. Application site details

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

Name/s:

Site address/
location:

Postcode

Legal description:

Val Number:

Certificate of title:

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.

9. Description of the proposal

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the *District Plan, and Guidance Notes*, for further details of information requirements.

If this is an application for a 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), with reasons for requesting them.

The proposal has been prepared in accordance with the following version of the FNDC Engineering Standards:

☐ 2009 ☐ 2023

10. Would you like to request public notification?

☐ Yes ☐ No

11. Other consent required/being applied for under different legislation

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard Consent

☐ Other (please specify)

12. 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:

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? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result? ☐ Yes ☐ No ☐ Don't know

☐ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

13. Natural hazards (National Policy Statement for Natural Hazards 2025)

Is the site subject to known or potential natural hazards (for example, flooding, coastal inundation, erosion, or unstable land), as contemplated by the National Policy Statement for Natural Hazards 2025? ☐ Yes ☐ No

If yes, please identify the relevant natural hazard(s) by ticking the applicable box(es) below:

☐ Flooding

☐ Active Faults

☐ Landslips

☐ Liquefaction

☐ Coastal Erosion

☐ Tsunami

☐ Coastal Inundation

Please ensure all relevant technical reports are submitted with the application.

14. 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.

Your AEE is attached to this application ☐ Yes

15. Draft conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? ☐ Yes ☐ No

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

16. Billing Details:

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

Name/s: (please write in full)

Bevin and Donna MacCarthy

Email:

Phone number:

Postal address:

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

Postcode

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Bevin MacCarthy

Signature:

(signature of bill payer)

Date 21-Jul-2026

MANDATORY

17. 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.

18. Declaration

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

Name (please write in full)

Bevin MacCarthy

Signature

Date 21-Jul-2026

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

See overleaf for a checklist of your information...

Checklist of your information

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)
- ☐ Details of your consultation with Iwi and hapū
- ☐ 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.*

BAY OF ISLANDS PLANNING LIMITED

Kerikeri House

Suite 3, 88 Kerikeri Road

Kerikeri

Email – office@bayplan.co.nz Website - www.bayplan.co.nz

.....

To Whom It May Concern:

Subject: Application for Extension of Time (s125 RMA 1991) – RC 2300670-RMALUC

1. Introduction and Purpose of Application

We act on behalf of the Bevin and Donna MacCarthy (the Applicant). We are lodging this application under section 125(1)(b) of the Resource Management Act 1991 (**RMA**) to seek an extension of time for resource consent 2300670-RMALUC, originally granted on 10 August 2021.

This application is submitted as a belt and braces measure. My position is that the resource consent has already been given effect to through the substantial completion of the first stage of the development (the Gym) and the preparation of the site. However, for commercial certainty, and to provide formal, approved documentation to prospective lessees regarding the remaining development rights, the Applicant formally requests a 3-year extension to the lapse date, extending it from 10 August 2026 to 10 August 2029.

2. Background and Consent Details

- **Consent Number:** 2300670-RMALUC
- **Site Address:** 415E Wiroa Road, Kerikeri
- **Site Area:** 4.2010ha

A copy of the Record of Title and relevant instruments are provided in **Appendix A**.

The approval documents for RC 2300670 are provided for in **Appendix B**.

3. Assessment under Section 125(1A)(a): Substantial Progress and "Given Effect To"

The Applicant has made substantial physical progress toward implementing the consent. The approved plans specifically outline a multi-building development (Proposed Gym 425B, Future shed 425A, and Future shed 425C). Images of the site since approval are provided in the figures below to assist in the claim that substantial progress has been made.



Figure 1 - Site at July 2020



Figure 2 - Site at January 2022



Figure 3 - Site at July 2022



Figure 4 - Site at November 2023

The consent conditions explicitly anticipated a staged approach, noting in Conditions 6, 10, and 13 that *"Should the development be staged..."* plans and as-builts could be submitted separately for each facility.

The Applicant has successfully completed Building 1 (the Gym at 425B) and its associated infrastructure. The use has been in operation for some time.

Furthermore, the areas proposed for the future industrial sheds (425A and 425C) have already been formed in hardstand and are physically prepared for the remaining construction.

While this level of completion strongly satisfies the threshold for the consent being "given effect to," the Applicant requires an additional 3 years to finalise commercial leasing arrangements and construct the remaining sheds in response to market demand.

4. Assessment under Section 125(1A)(b): Affected Persons

The original resource consent was processed on a non-notified basis, as the Council determined the adverse environmental effects were no more than minor and there were no affected persons.

The scale, character, and location of the unbuilt sheds remain entirely unchanged from the approved plans. As the remaining development rights are confined to an existing, established commercial node on the site, no persons will be adversely affected by the granting of this extension.

5. Assessment under Section 125(1A)(c): Effect on Policies and Objectives

Since the consent was granted in 2021, the National Policy Statement for Highly Productive Land (NPS-HPL) has come into effect, and the Far North Proposed District Plan (PDP) has been decided on. The subject site is zoned Rural Production and contains Class 3 soils.

NPS-HPL and PDP Rural Production Zone Alignment

The PDP Rural Production Zone explicitly seeks to protect highly productive land from sterilisation and prioritises it for farming and forestry (Objective RPROZ-O3). Policy RPROZ-P5 directs the avoidance of land use that would result in the cumulative loss of the productive capacity of highly productive land.

Objective / Policy	Assessment
RPROZ-O1: The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.	Consistent: The extension of time relates solely to a discrete, lawfully established commercial/industrial node (Building 1, and the pre-formed hardstand for Buildings 2 and 3). The balance of the 4.2010ha site remains completely available for primary production activities, ensuring the wider site's long-term protection is not compromised.

RPROZ-O2: The Rural Production zone is used for primary production activities, ancillary activities that support primary production, lawfully established existing activities and other compatible activities that have a functional need to be in a rural environment.	Consistent: The proposal seeks to complete a 'lawfully established existing activity'. The 2021 resource consent established the commercial/industrial node, and the applicant has already constructed the Gym and the underlying hardstand for the remaining sheds.
RPROZ-O3: Land use and subdivision in the Rural Production zone: a. protects highly productive land from sterilisation and enables and prioritises it to be used for farming and forestry activities; b. protects primary production activities from reverse sensitivity effects... c. does not compromise the use of land for primary production... d. does not exacerbate any natural hazards; and e. is able to be serviced by on-site infrastructure.	Consistent: The land designated for the future sheds (425A and 425C) was formed into hardstand under the operative 2021 consent prior to the NPS-HPL taking effect. Consequently, constructing the buildings on this existing hardstand avoids any <i>new</i> sterilisation of Class 3 highly productive soils. The site can be serviced by on-site infrastructure in accordance with the original consent conditions, and the industrial use does not create reverse sensitivity issues for adjacent farming.
RPROZ-O4: The rural character and amenity values associated with a rural working environment are maintained.	Consistent: The scale, bulk, and design of the future sheds remain identical to the plans approved in 2021. The Council previously determined that these structures, subject to landscaping conditions, maintained appropriate rural character and amenity.
RPROZ-P1: Enable primary production activities, provided they internalise adverse effects onsite where practicable...	Not Applicable: The application is for the extension of an established industrial/commercial activity, not a primary production activity.
RPROZ-P2: Ensure the Rural Production zone provides for activities that require a rural location by: ... c. enabling the maintenance, operation or upgrade of any lawfully established existing activities, provided any loss of highly productive land from those activities is minimised.	Highly Consistent: This policy directly supports the application. The Applicant is seeking to complete the operation/upgrade of a lawfully established existing activity. Because the physical footprint for the sheds is already formed in hardstand, the loss of highly productive land is not merely minimised, it is entirely restricted to the historical footprint authorised in 2021.
RPROZ-P3: Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects...	Consistent: The approved industrial sheds (Buildings 2 and 3) are not 'sensitive activities' (such as residential development). The nature of the activity does not restrict the ability of surrounding highly productive land to be used for primary production.
RPROZ-P4: Land use and subdivision activities are undertaken in a manner that	Consistent: The site is 4.2010ha in size. The built form is clustered in a single, defined

maintains or enhances the rural character and amenity values of the Rural Production zone, which includes: a. a predominance of primary production activities; b. low density development with generally low site coverage... c. typical adverse effects... d. a diverse range of rural environments...	node, ensuring a very low overall site coverage that leaves a predominance of the site open for rural uses. The visual and amenity effects were deemed acceptable in the 2021 decision.
RPROZ-P5: Avoid land use that: a. is incompatible with the purpose, character and amenity values of the Rural Production zone; b. does not have a functional need to locate in the Rural Production zone... c. would result in the loss of availability and productive capacity of highly productive land... d. would exacerbate natural hazards; and e. cannot provide appropriate on-site infrastructure.	Consistent: The proposal strictly avoids the loss of availability and productive capacity of highly productive land (Clause c) because the footprint is an existing, consented hardstand. No new Class 3 soil will be consumed or sterilised. Appropriate infrastructure (Clause e) is provided for via the existing 2021 consent conditions.
RPROZ-P6: Avoid subdivision that: a. results in any potential cumulative loss of the availability or productive capacity of highly productive land...	Not Applicable: The proposal is an extension of time for a land use consent, not a subdivision.
RPROZ-P7: Consider the following matters where relevant when assessing and managing the effects of land use and subdivision... c. consistency with the scale and character of the rural environment; d. location, scale and design of buildings or structures; e. for non-primary production activities: i. scale and compatibility... iii. the potential for loss of highly productive land... f. at zone interfaces... g. capacity of the site to cater for on-site infrastructure...	Consistent: When assessing the relevant matters under P7, the location, scale, and design of the buildings (Clause d) remain identical to the approved plans (Sheet A01b, A03). Under Clause e(iii), there is no potential for the loss of highly productive land as the underlying soil has already been legally retired and physically converted to hardstand. The capacity for on-site infrastructure (Clause g) has been secured through the original conditions regarding wastewater (Condition 3) and traffic/access (Conditions 5-13).

Granting the extension allows the completion of a historically approved development on an existing hardstand, ensuring zero additional loss of highly productive land.

6. Conclusion

The Applicant has demonstrated substantial progress by constructing the primary gym building and establishing the hardstand for the remaining stages, arguably giving effect to the consent.

To provide necessary commercial certainty for future lessees, an extension of 3 years is requested. The extension does not compromise the objectives or policies of the PDP or the NPS-HPL, as it utilises land whose productive capacity has already been lawfully retired.

We respectfully request that the Council extends the lapse date to 10 August 2029.

Kind Regards,

Steven Sanson
Consultant Planner



**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

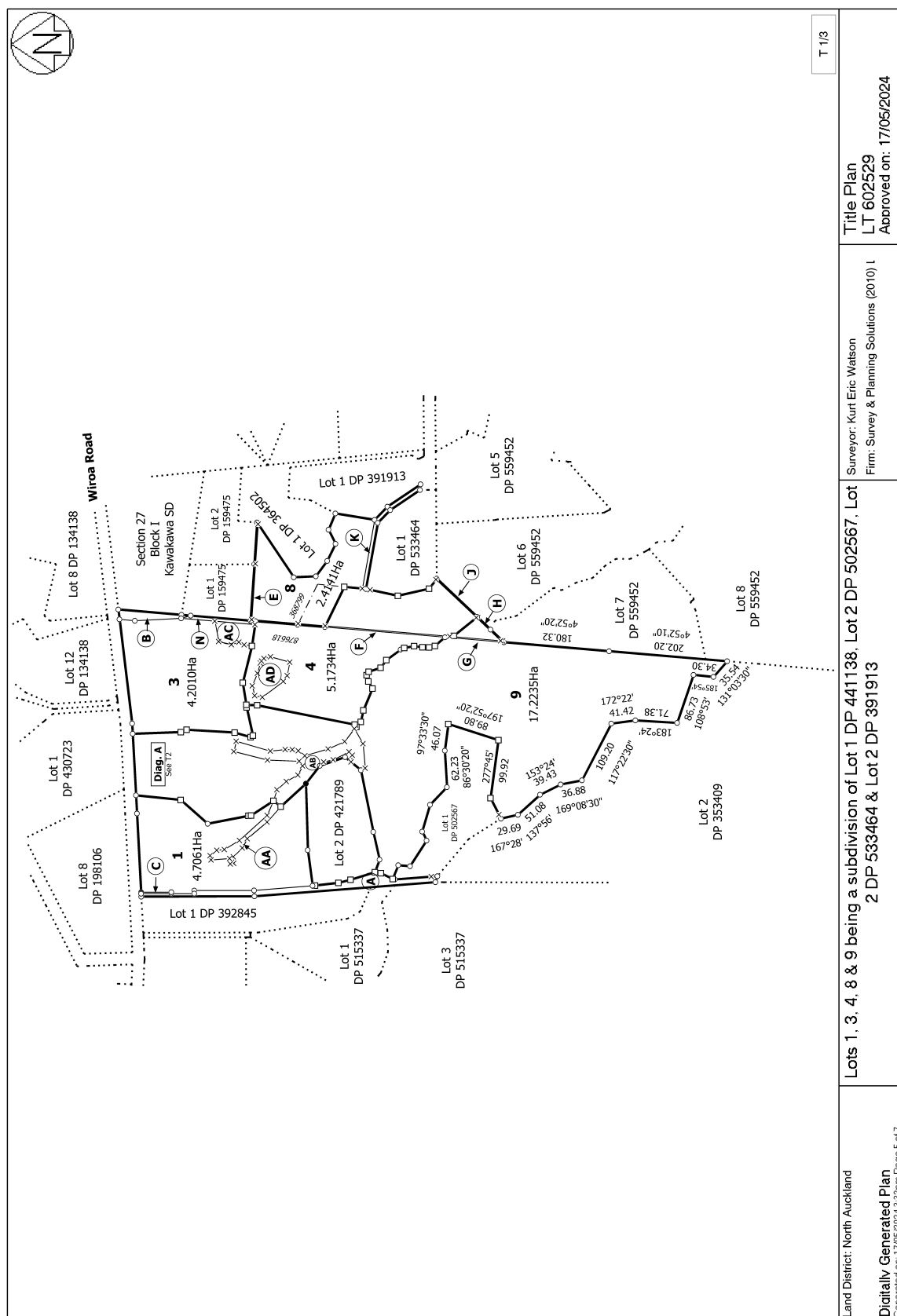
Identifier **1176390**
Land Registration District **North Auckland**
Date Issued 17 February 2025

Prior References
876618

Estate Fee Simple
Area 4.7061 hectares more or less
Legal Description Lot 1 Deposited Plan 602529
Registered Owners
Bevin Noel MacCarthy, Donna Maree MacCarthy and Joe Trust Company Limited

Interests

Subject to a right of way and a right to convey telecommunications, electricity and water supply easement over part marked A on DP 602529 created by Easement Instrument 6486931.3 - 7.7.2005 at 9:00 am
The easements created by Easement Instrument 6486931.3 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right of way, right to convey electricity, telecommunications, computer media and water over part marked A and C on DP 602529 created by Easement Instrument 8358752.2 - 15.12.2009 at 3:53 pm
The easements created by Easement Instrument 8358752.2 are subject to Section 243 (a) Resource Management Act 1991
8849741.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 26.9.2011 at 11:54 am
Subject to a right of way, right to convey electricity, telecommunications, computer media and water supply over part marked A & C on DP 602529 created by Easement Instrument 8849741.3 - 26.9.2011 at 11:54 am
The easements created by Easement Instrument 8849741.3 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right (in gross) to convey electricity over part marked A on DP 602529 in favour of Top Energy Limited created by Easement Instrument 8849741.4 - 26.9.2011 at 11:54 am
The easements created by Easement Instrument 11636549.3 are subject to Section 243 (a) Resource Management Act 1991
Appurtenant hereto are rights of way and rights to convey electricity and telecommunications created by Easement Instrument 11636549.3 - 10.12.2019 at 4:12 pm
13200798.3 Surrender of the right of way and right to convey electricity and telecommunications marked B on DP 533464 created by Easement Instrument 11636549.3 - 17.2.2025 at 6:00 pm
13200798.10 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 17.2.2025 at 6:00 pm
Subject to a right of way and a right to convey electricity, telecommunications and water over part marked A & C on DP 602529 created by Easement Instrument 13200798.11 - 17.2.2025 at 6:00 pm
The easements created by Easement Instrument 13200798.11 are subject to Section 243 (a) Resource Management Act 1991
13200798.13 Mortgage to Westpac New Zealand Limited - 17.2.2025 at 6:00 pm





View Instrument Details

Instrument No	13200798.10
Status	Registered
Lodged By	Jury, Sarah Emily
Date & Time Lodged	17 Feb 2025 18:00
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Records of Title	Land District
1176390	North Auckland
1176391	North Auckland
1176392	North Auckland
1176394	North Auckland

Annexure Schedule	Contains 2 Pages
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Signature

Signed by Sarah Emily Jury as Territorial Authority Representative on 17/12/2024 10:10 AM

*** End of Report ***

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2220816-RMACOM

Being the Subdivision of Lot 2 DP 533464 Lot 2 DP 502567 Lot 1 DP 441138
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

STAGE 1

Lots 4 and 9 DP 602529

- (i). Any building erected on the Lot shall have foundations specifically designed by a suitably qualified Chartered Professional Engineer. The details of design shall be submitted in conjunction with the application for Building Consent.
- (ii). In conjunction with the construction of any building requiring a wastewater disposal system, the Lot owner shall obtain a Building Consent and install a wastewater treatment and effluent disposal system as detailed in the report prepared by O'Brien Design Consulting Ltd, Job No. 7983, Rev A and submitted with Resource Consent 2220816-RMACOM.

Lots 1, 3, 4 and 9 DP 602529

- (iii). The Lot owner shall ensure that the wetland areas as indicated on the survey plan as 'AA', 'AB', 'AC' and 'AD' 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 as 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.



HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Private Bag 752, Kaikohe 0440, New Zealand

 ask.us@fndc.govt.nz

 0800 920 029

 fndc.govt.nz

A handwritten signature in black ink, appearing to read "Tianxu Huang".

SIGNED: Mr Tianxu Huang- Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
TEAM LEADER – RESOURCE CONSENTS

DATED at **KERIKERI** this 1st day of October 2024

View Instrument Details



Instrument No	8849741.2
Status	Registered
Date & Time Lodged	26 September 2011 11:54
Lodged By	Kennedy, Amanda Jane
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
548952	North Auckland
548953	North Auckland

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Amanda Jane Kennedy as Territorial Authority Representative on 20/10/2011 03:38 PM

*** End of Report ***



Far North
District Council

Private Bag 752, Manurewa Ave

Takaka 0400, New Zealand

Troopphone: 3800 770 027

Phone: (09) 405 7750

Fax: (09) 401 2137

E-mail: web.us@fnrc.govt.nz

Website: www.fnrc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2110214

Being the Subdivision of Lot 1 DP 421789
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

Lot 1 – DP 441138

- (i) In the event that the existing shed situated beside Right of Way easement 'A' is destroyed or removed, any replacement structure shall be situated no closer than 10 metres from the boundary of the subject site in order to provide the opportunity for the Right of Way to be amended to meet Council's access standards in the future.

Lot 2 – DP 441138

- (ii) Each dwelling shall have a roof water collection system with a minimum tank storage of 45,000 litres. The tank(s) shall be positioned so that they are accessible (safely) for fire fighting purposes and fitted with an outlet compatible with rural fire service equipment. Where more than one tank is utilised they shall be coupled together and at least one tank fitted with an outlet compatible with rural fire service equipment. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.
- (iii) 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.

- (iv) At the time of applying for a building consent for a building which requires a waste water treatment and disposal system, the landowner shall obtain building consent and install the waste water treatment and disposal system as detailed in the report prepared by Haigh Workman, referenced Report on Suitability of Site for Subdivision, Job No: 10 259, dated January 2011 and required by condition 3(c) of RC-2110214-RMASUB.

The installation shall include an agreement with the system supplier, or their authorised agent, for the ongoing operation and maintenance of the waste water treatment and disposal system.

The estimated cost of the installed system at January 2011 is \$13,000 + GST.

Where a waste water treatment and disposal system differs from that described in the above mentioned report, a new site and soil evaluation report will be required to be submitted with a building consent.

SIGNED:



Mr Murray McDonald

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

MANAGER – RESOURCE MANAGEMENT

DATED at KERIKERI this

20th

day of

October

2011



**Far North
District Council**

FAR NORTH DISTRICT COUNCIL

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

Resource Consent Number: 2300670-RMALUC

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

Bevin and Donna MacCarthy Family Trust

The activity to which this decision relates: to construct and use three buildings in the Rural Production Zone exceeding the permitted scale of activities and traffic movements for the zone.

Subject Site Details

Address:	455 Wiroa Road, Kerikeri 0293
Legal Description:	Lot 2 DP 533464 Lot 2 DP 502567 Lot 1 DP 441138
Record of Title reference:	CT-876618

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

1. The activity shall be carried out in general accordance with the approved plans and elevations and documents outlined below and attached to this consent with Council's "Approved Stamp" affixed to them.
Prepared by Bay Builders Ltd
 - Site Plan (Sheet A01b, revision E, dated 30 July 2021)
 - Elevations (Sheet A03, revision E, dated 30 July 2021)
2. In accordance with the information provided, the buildings are to be used for the following purposes and no others:
 - a. Building 1 (425B) – Proposed Gym
 - b. Building 2 (425A) – Industrial Purpose
 - c. Building 3 (425C) – Industrial Purpose

In addition to the above, all uses must remain compliant with the noise, signage and lighting standards of the zone. The only signage approved is that associated with giving effect to Condition 12.

The gym and industrial use are also fixed in terms of traffic movements and scale of activity allowing for a maximum of 30 people at the gym and 5 people at each industrial building. Any changes or activities that increase these thresholds require resource consent.

3. In conjunction with obtaining Building consents, the consent holder shall submit designs and details of additional on-site wastewater treatment and disposal systems in accordance with Section 5.3.11 of the FNDC Engineering Standards Rev 2009, unless the existing on-site wastewater treatment and disposal systems are certified as functional and have sufficient capacity for the additional loading associated with the proposal. The TP58 shall confirm that all of the treatment and disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan Permitted Activity Standards.

Note: Certification must be by Chartered Professional Engineer (CPEng), an approved suitably qualified person (IQP) or certified TP58 writer.

4. Within three months of the date of this consent, the consent holder shall provide, for the approval of the Council's Resource Consents Manager, or other duly delegated officer, a landscape/planting plan, to be prepared by a suitably qualified and experienced person, which details the means of reducing the visual impact of the building, and any earthworks, by way of suitable plantings and landscaping.

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 one further planting season or one year, whichever is the longer, from the time of planting. The approved landscaping/planting is to be implemented within 12 months of the landscape/planting plan approval date and is to be maintained for the duration of the consent. Any plants that are removed or damaged are to be replaced as soon as possible, or within the next planting season (1st May to 30th September).

Traffic and Access

5. Prior to the commencement of construction, the consent holder shall submit plans detailing the proposed new crossing's left turn-in portion in accordance with Council's Engineering Standard Drawings FNDC / S / 6D from Wiroa Road along with a design certificate (Schedule 1A) for the approval of the Council's Development Engineer or their delegated representative.

The plans shall show the crossings location, formation, drainage, pavement/surfacing details and tie in details to Wiroa Road pavement and surfacing. Plans are to be designed by Suitably Qualified Engineer in accordance with Engineering Equilibrium Traffic Impact Assessment dated June 2021, Far North District Council: Engineering Standards & Guidelines 2009 and NZS4404:2004. These approved plans shall be used to apply for a Vehicle Crossing Permit.

6. Prior to the commencement of construction, the consent holder shall submit plans detailing the proposed driveways and carparks (including accessible) for the proposed gym and the two industrial sheds for the approval of the Council's Development Engineer or their delegated representative. The plans shall show details and dimensions of driveways, carparking and accessible carparking and manoeuvring space in accordance with Far North District Council: District Plan, Far North District Council: Engineering Standards & Guidelines 2009, NZS 4121:2001 and NZS4404:2004. Should the development be staged, plans for each facility and associated driveways and carparks can be submitted separately at time of Building Consent.
7. Following the approval of the plans required under Conditions 6 and 6 provide to Council:
 - i. Details of the selected contractor;
 - ii. Details of the planned date and duration of the works;
 - iii. Traffic Management Plan (TMP); and

iv. Corridor Access Request (CAR).

8. The consent holder shall construct the new crossing place and left turn-in off Wiroa Road in accordance with the approved plans as per Condition 5, Far North District Council: Engineering Standards & Guidelines 2009 and NZS4404:2010, to the satisfaction of Far North District Council's Development Engineer or their delegated representative. The new crossing and left turn in shall be completed prior to occupation of any of the buildings or issuing of Code of Compliance Certificate for associated building consents (whichever comes first).
9. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the left turn-in widening for a minimum period of 12 months.
10. The consent holder is responsible for the repair and reinstatement of the road carriageway damaged as a result of the site works. Such works, where required, will be completed to the satisfaction of the Council's Roading Manager.
11. The consent holder shall construct the proposed designated car parking areas and accessible parking in accordance with the approved plans as per Condition 6. Parking and manoeuvring areas shall be constructed in accordance with NZS 4121:2001, Far North District Council: District Plan, Far North District Council: Engineering Standards & Guidelines 2009 and NZS4404:2004. All car parking shall be completed prior to occupation of each building or issuing of Code of Compliance Certificate for associated building consent (whichever comes first). Should the development be staged, car parking (including accessible) and manoeuvring areas for each facility can be constructed separately.
12. The consent holder shall install signage to symbolise the designated car parking areas and accessible parking in accordance with NZS 4121:2001, Far North District Council: District Plan, Far North District Council: Engineering Standards & Guidelines 2009 and NZS4404:2004. Signage shall be installed prior to occupation of the building or issuing of Code of Compliance Certificate for associated building consent (whichever comes first).
13. The consent holder shall construct the proposed driveways to the gym and industrial shed carparks in accordance with the approved plans as per Condition 6, Far North District Council: District Plan, Far North District Council: Engineering Standards & Guidelines 2009 and NZS4404:2004. Should the development be staged, driveways to each facility can be constructed separately. The driveways shall be completed prior to occupation of each building or issuing of Code of Compliance Certificate for associated building consent (whichever comes first).
14. The consent holder shall provide suitable evidence by way of as-built plans and/or producer statement from a Suitably Qualified Engineer an Independent Qualified Person (IQP) or FNDC Development Engineer or authorised representative, to illustrate that the works permitted under this consent have been completed in accordance with the approved plans, to the satisfaction of Council. Should the development be staged, as-built plans and/or producer statements for each facility can be supplied separately at the time of completion prior to occupation of each facility or issuing of Code of Compliance Certificate for associated Building Consent (whichever comes first).
15. Pursuant to Section 128 of the Resource Management Act, the consent authority may at six monthly intervals from the date of the activity's commencement, serve notice on the consent holder of its intension to review conditions of this consent to deal with effects on the environment which arises after the date of commencement where such

effect is contrary to or is not otherwise in accord with the assessments provided within the application for traffic, access, and parking.

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.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.
2. District Plan Rules Affected:
Adverse effects will be no more than minor:
It is considered the relevant and potential effects have been addressed within the assessment of effects above, and it has been concluded that the adverse effects will be no more than minor.

Positive effects of the proposal:

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

- a) The proposed development will effectively utilise the land near an arterial road for both commercial and industrial uses whilst having no more than minor adverse effects on the environment.

Objectives and policies of the District Plan:

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

- a) Rural Zone Objectives 8.3.1-8.3.10.
- b) Rural Production Zone Objectives 8.6.3.1-8.6.3.9 and Policies 8.6.4.1-8.6.4.9.

Operative Far North District Plan

The environmental outcomes expected for the Rural Production Zone are as follows:

8.6.2.1 A Rural Production Zone where a wide variety of activities take place in a manner that is consistent with the sustainable management of natural and physical resources and compatible with the productive intent of the zone.

8.6.2.2 A Rural Production Zone which enables the social, economic and cultural well-being of people and communities, and their health and safety, while safeguarding the life supporting capacity of the environment and avoiding, remedying or mitigating adverse effects on it.

8.6.2.3 A Rural Production Zone where the adverse cumulative effects of activities are managed, and amenity values are maintained and enhanced.

8.6.2.4 A Rural Production Zone where the adverse effects of incompatible activities are avoided, remedied or mitigated.

The proposed activity, coupled with conditions of consent, is considered to be consistent with the above environmental outcomes and thus achieve the objectives and policies of the Rural Production Zone.

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

3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents.

- a) The Northland Regional Policy Statement 2018
- b) Northland Regional Plan 2019

In terms of the Regional Policy Statement for Northland, for the following reasons the application is considered to be consistent with its intents and aims:

- a. Fresh and coastal water – the proposal does little to impact fresh and coastal water.
 - b. Indigenous ecosystems and biodiversity – there are no significant areas of habitat or vegetation on the site.
 - c. Economic potential and social wellbeing – the proposal is likely to provide some economic benefits and employment.
 - d. Regional form – The development meets the Far North District Plan criteria for building coverage and scale. Landscaping conditions will assist in keeping the development tied to the rural environment.
 - e. Tangata whenua – the site contains no identified sites of significance to tangata whenua.
 - f. Natural hazards – There are no known hazards that impact the site.
 - g. Natural character, features / landscapes and historic heritage – These do not apply.
4. No other non – statutory documents were considered relevant in making this decision.
 5. No other matters were considered in relevant in making this decision.
 6. 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.
 7. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

Approval

This resource consent has been prepared by Steven Sanson (Sanson & Associates), [& title] and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Pat Killalea, Principal Planner

Date: 10th August 2021

Right of Objection

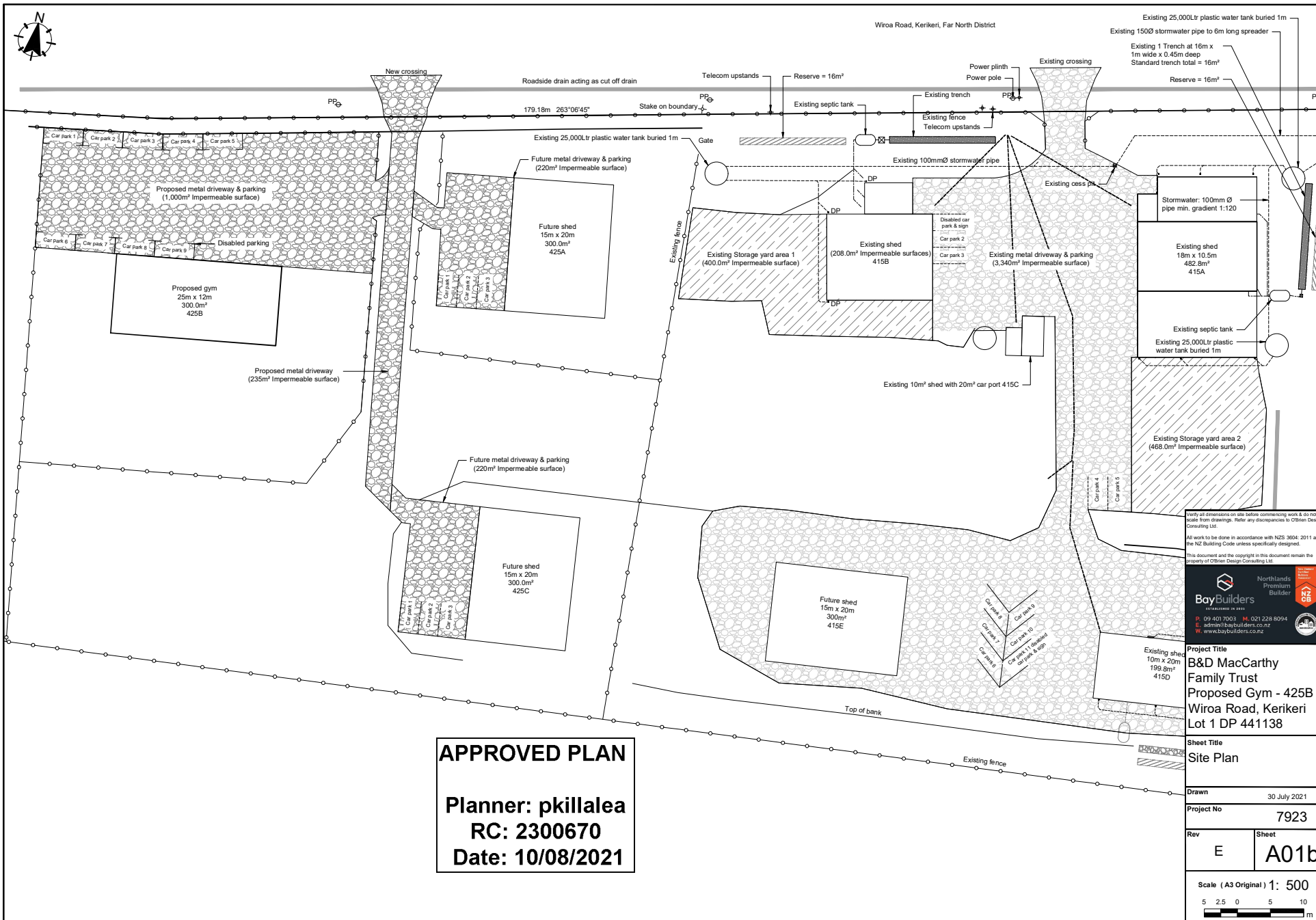
If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

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.



Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.

All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.

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 Northlands Premium Builder
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 W: www.baybuilders.co.nz

Project Title
B&D MacCarthy Family Trust
Proposed Gym - 425B
Wiroa Road, Kerikeri
Lot 1 DP 441138

Sheet Title
Site Plan

Drawn 30 July 2021

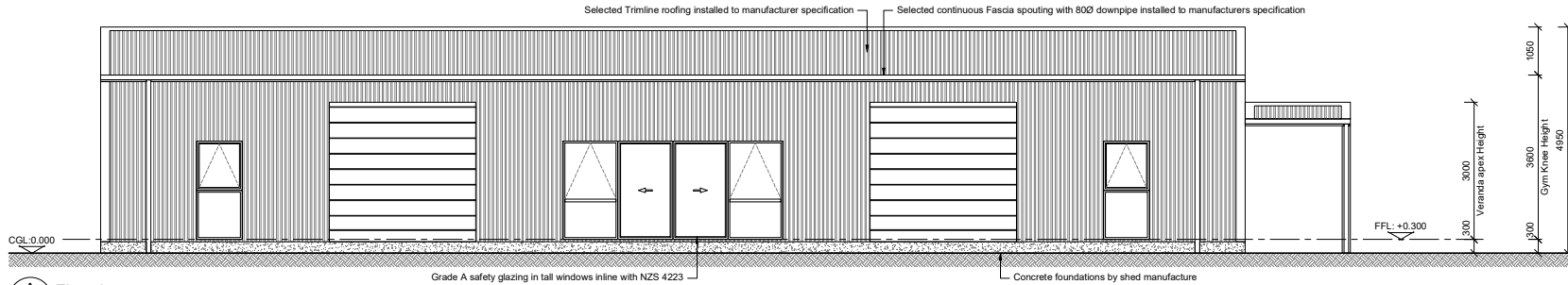
Project No 7923

Rev E **Sheet** A01b

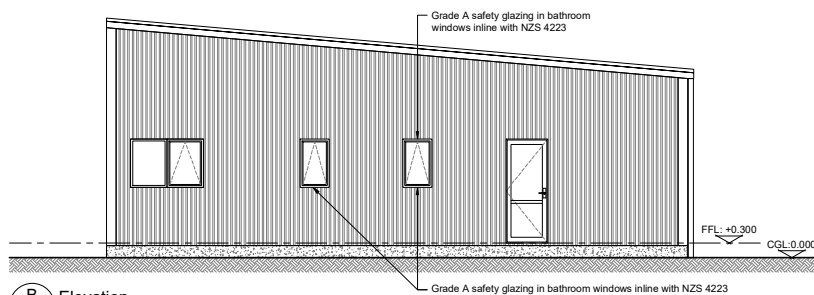
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NOTE:

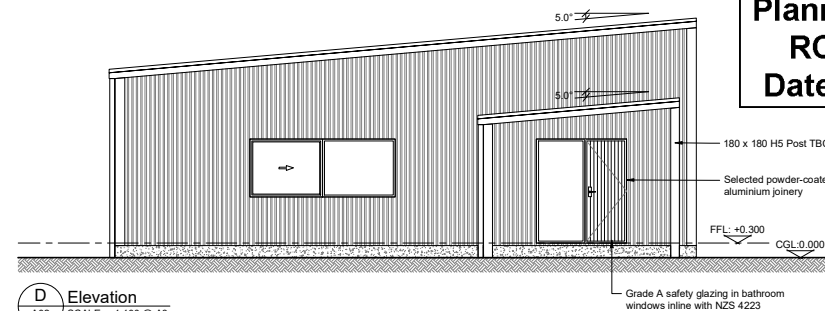
1. All heights shown are existing ground heights.
2. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.
3. All windows and doors double glazed other than the garage joinery.
4. Grade A safety glazing in bathrooms & tall windows in line with NZS 4223.



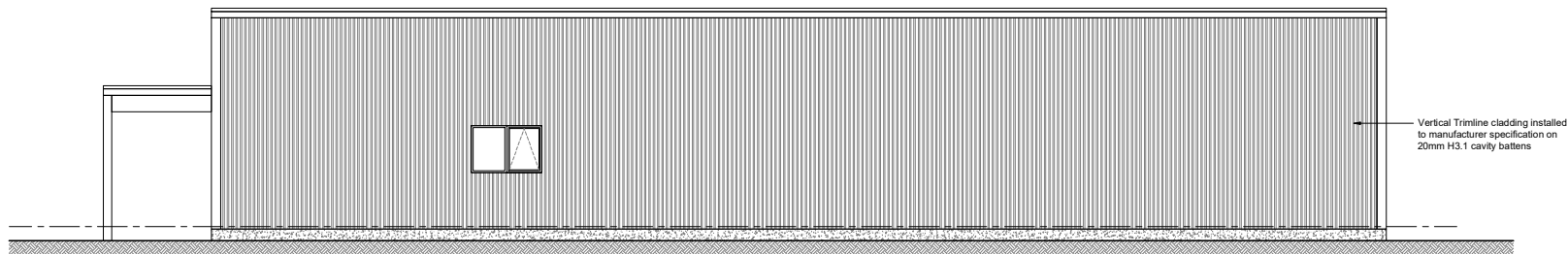
A Elevation
A02 SCALE = 1:100 @ A3



B Elevation
A02 SCALE = 1:100 @ A3



D Elevation
A02 SCALE = 1:100 @ A3



C Elevation
A02 SCALE = 1:100 @ A3

APPROVED PLAN

Planner: pkillalea
RC: 2300670
Date: 10/08/2021

FIXINGS:

Exposure Zone: C
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to Otten Design Consulting Ltd.
All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.
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Project Title
B&D MacCarthy
Family Trust
Proposed Gym - 425B
Wiroa Road, Kerikeri
Lot 1 DP 441138

Sheet Title
Elevations

Drawn 30 July 2021

Project No 7923

Rev E **Sheet** A03

Scale (A3 Original) 1: 100
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