

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

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

☐ Yes ☒ No

If yes, who have you spoken with? _____

2. Type of Consent being applied for

☒ Change of conditions (s.127)

3. Consultation:

Have you consulted with Iwi/Hapū? ☐ Yes ☒ No

If yes, which groups have
you consulted with?

Who else have you
consulted with?

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council
tehonosupport@fndc.govt.nz*

4. Applicant Details:

Name/s:

Te Waka Pupuri Putea Trust

Email:

Phone number:

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:

Cato Bolam Consultants Ltd - Kylie Pearce

Email:

Phone number:

Postal address:

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

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:

Te Waka Pūpuri Pūtea Trust

Property Address/
Location:

Postcode

7. Application Site Details

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

Name/s:

Site Address/
Location:

Donald Road, Kaitiaki

Postcode

Legal Description:

Please see attached

Val Number:

Certificate of title:

please see attached.

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

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ☐ Yes ☒ No

Is there a dog on the property? ☐ Yes ☒ No

7. Application Site Details (continued)

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details.

This is important to avoid a wasted trip and having to re-arrange a second visit.

8. Detailed description of the proposal:

This application relates to the following resource consent:

22200128-RMAVAR

Specific conditions to which this application relates:

Re-introduce two stages to consent

Describe the proposed changes:

9. Would you like to request Public Notification?

☐ Yes ☒ No

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

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard consent

☐ Other (please specify)

11. Assessment of Environmental Effects:

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

12. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☒ Yes ☐ No

13. Billing Details:

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

Name/s: (please write in full)

Te Waka Pupuri Putea Trust

Email:

Phone number:

Postal address:

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

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)

Justin Roberts

Signature: (signature of bill payer)



Date 15/7/2026

MANDATORY

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

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.

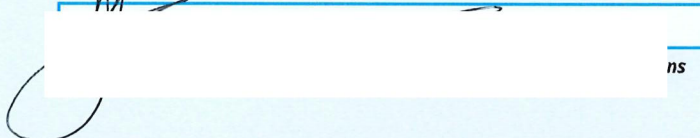
Declaration

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

Name: (please write in full)

Amela Jelavich

Signature:



Date 15/7/2026

Checklist (please tick if information is provided)

- ☐ Payment (cheques payable to Far North District Council)
- ☐ Details of your consultation with Iwi and hapū
- ☐ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.



**Te Waka Pupuri Pūtea Trust
Donald Road, Kaitaia**

**Resource Consent Application
Section 127 Application for Variation to Resource
Consent 2220128-RMASUB/VAR**

PLANNERS | SURVEYORS | ENGINEERS | ARCHITECTS | ENVIRONMENTAL

catobolam.co.nz

Document Record

Client	Te Waka Pupuri Pūtea Trust
Site Address	Donald Road, Kaitaia
Job Number	47576
Document	s127 Application
Document No	47576-RP-PLN-PL01 s127-2 AEE Report

Issue and Status

Date of Issue	July 2026
Status	For Resource Consent

Author	-
--------	---

Reviewer	-
----------	---

Approved for Issue	 -
--------------------	---

Originating Office

Office	Whangarei
Postal Address	PO Box 1919, Whangarei 0140
Phone	09 438 1684

Contents

1.0	Property / Application Details	1
2.0	Proposal	1
3.0	Site and Locality Description.....	1
3.1	Site Description.....	1
3.2	Existing Consent Relevant Background.....	2
4.0	Statutory Considerations	3
4.1	Section 127	3
5.0	Application Assessment.....	3
5.1	Statutory Considerations and Weighting.....	3
5.1.1	<i>Relevant Section of the RMA</i>	<i>3</i>
5.1.2	<i>Weighting of Plans</i>	<i>3</i>
5.1.3	<i>Compliance History - s104(2EA).....</i>	<i>4</i>
5.1.4	<i>Section 107G.....</i>	<i>4</i>
5.2	Section 104(1)(a) Actual and Potential Effects on the Environment	4
5.2.1	<i>Permitted Baseline / Existing Environment</i>	<i>4</i>
5.2.2	<i>Assessment of Effects</i>	<i>4</i>
5.2.3	<i>Positive Effects.....</i>	<i>5</i>
5.2.4	<i>Neighbouring Properties.....</i>	<i>5</i>
5.2.5	<i>Adverse Effects Conclusion</i>	<i>5</i>
5.3	Section 104(1)(b)(vi) Relevant Provisions of the District Plan Objectives and Policies	5
5.4	Section 104(1)(b)(v) Relevant Provisions of the Regional Policy Statement	5
5.5	Section 104(1)(c) Any other matters considered relevant and reasonably necessary to determine the application	6
6.0	Notification (Sections 95A, 95C-95D)	6
7.0	Consideration of Part 2 (Purpose and Principles) of the RMA	6
8.0	Lapsing of Consent.....	7
9.0	Conclusion	7
10.0	Limitations.....	7
Appendix A: Copy of 2220128-RMASUB Decision		1
Appendix B: Copy of 2220128-RMAVAR/A Decision		2
Appendix C: Copy of Record of Title		3
Appendix D: Plan for Stage 1 – LT 618582.....		4
Appendix E: Plan for stage 2 – LT 632185.....		5

1.0 Property / Application Details

Site Address:	Donald Road, Kaitaia
Legal Description:	Part Lot 5 DP 12002 and Lot 15 DP 46427
Site Area:	3.9707 ha and 1.7622 ha (5.7329 ha total)
Operative Plans Applying:	Far North District Plan (2009) (<i>the “ODP”</i>)
Zoning:	Residential
Overlays:	NA
Proposed Plans / Plan Changes Applying:	Proposed Far North District Plan (<i>the “PDP”</i>)
Zoning / Overlays:	General Residential Airport Protection Surface (Kaitaia Airport)
Other Applications Required:	None

2.0 Proposal

This document is an Assessment of Environmental Effects (“**AEE**”) prepared in accordance with the requirements of Section 88 of the Resource Management Act 1991 (“**RMA**”) and the Fourth Schedule to the RMA. All matters required to be addressed under the RMA are set out in this AEE.

The Te Waka Pupuri Pūtea Trust (“**Consent Holder**”) seeks to re-vary the conditions of their consent 2220128-RMASUB (refer **Appendix A**), granted on 6 December 2023, pursuant to s127 of the RMA.

This consent was already varied, 2220128-RMAVAR/A (refer **Appendix B**), on 1 May 2024 to enable the subdivision to proceed as a single stage (where it was originally consented in two stages).

This application now seeks to reintroduce the two stages as set out under 2220128-RMASUB.

No physical works are proposed. Overall, the changes proposed will not trigger any requirement for new consents, nor will such result in a materially different activity.

It is requested that the two stages of conditions as set out under 2220128-RMASUB be reintroduced.

3.0 Site and Locality Description

3.1 Site Description

The site has a total area of 5.7329 hectares, comprising of two lots (Part Lot 5 DP 12002 and Lot 15 DP 46427) which both have separate frontages to Donald Road. The site is currently vacant and is

dominated by shrubland as shown in **Figure 1** below, consisting of both native and exotic species, with small ephemeral wetland areas through the middle of the site.

Copies of the records of title are included in **Appendix C**.



Figure 1: Location of site and surrounding area at Donald Road, Kaitia

3.2 Existing Consent Relevant Background

Consent 2220128-RMASUB was granted on 6 December 2022 for the two-stage subdivision, known as *Tō Tātou Kāinga*, to create 44 new residential lots. The consent holder, Te Waka Pupuri Pūtea Trust, intends to provide quality, affordable homes as part of a papakāinga community with orchards, gardens, walkways, and a lookout at the highest point on the site. The subdivision also will create two new roads to vest, and two reserve lots to vest, with the 44 residential lots ranging from 600m² to 987m² in area.

The reserve lot to vest, Lot 47, in the Stage 2 area, is 7,149m² and contains the identified wetland areas. The applicant will provide a landscape design with fruit trees, regenerative indigenous planting, and a walkway connecting the two opposite sides of the site.

The consent was granted on a non-notified basis and as a non-complying activity. The decision has been made with regard to the PDP, noting that “the outcomes sought are the same under the operative and the proposed plan frameworks.”

Consent 2220128-RMAVAR/A was granted on 1 May 2024 providing for the variation of conditions of consent 2220128-RMASUB. This variation involved:

- Combining the two subdivision stages into a single stage;
- A new right-of-way (Lot 202) panhandle at the southwestern corner of the site (adjoining Lots 42-44);

- Amending the areas of Lots 35-44 to accommodate the right-of-way mentioned above; and
- Move Lots 22 and 23 north to adjoin Lot 21, which subsequently alters the shape of Lot 47 (the reserve lot to be vested).

No changes to the previously approved earthworks and site works were proposed.

4.0 Statutory Considerations

4.1 Section 127

Section 127 of the Act enables a consent holder to make an application to change or cancel one or more conditions of a resource consent (other than any condition as to the duration of the consent). It also requires that any such application is subject to sections 88 to 121 of the Act as if it were an application for a **discretionary activity**. The references in these sections to a resource consent and to the activity are references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Considerations under Section 127

“The High Court held that whether an application is truly one for variation of the condition under s.127 or whether, in reality, it is seeking consent for an activity, which is materially different in nature, is a question of fact and degree to be determined in the circumstances of the case. In deciding whether an application for variation is in substance, a new application, a consent authority should compare any differences in the adverse effects likely to follow from the variation proposal with those associated with the activity in its original form. Where the variation would result in a fundamentally different activity or one having materially different adverse effects, a new application may be required (Body Corporate 97010 v Auckland CC).”

It is considered that the application can be accepted as a variation. There will be no change in the type and level of adverse environmental effects associated with the changes to conditions as the variation merely allows for the subdivision to be completed in two stages, as per the originally approved subdivision layout.

5.0 Application Assessment

5.1 Statutory Considerations and Weighting

5.1.1 Relevant Section of the RMA

When considering an application for a discretionary activity the Council as consent authority must have regard to Part 2 of the RMA (“Purposes and Principles” – sections 5 to 8), and sections 104, 104B and 108 of the RMA.

Subject to Part 2 of the RMA, when considering an application for resource consent and any submissions received the Council must, in accordance with section 104(1) of the RMA have regard to the matters addressed below.

5.1.2 Weighting of Plans

The Operative Far North District Plan 2009 (“**ODP**”) remains operative. The Proposed District Plan (“**PDP**”) was notified on 27 July 2022, and the Council's decisions on submissions were notified on

30 June 2026. In accordance with s86B RMA, the rules of the PDP (decisions version) now have legal effect, subject to any appeals lodged within the appeal period. Both plans have been considered under s104(1)(b), with weight given to PDP provisions according to their stage and the extent to which they are subject to challenge.

5.1.3 Compliance History - s104(2EA)

Section 104(2EA) RMA provides that, when considering an application, the consent authority may have regard to any previous or current abatement notices, infringement notices, enforcement orders or convictions received by the applicant under the RMA. For a natural person this consideration is limited to the preceding seven years; no time limit applies to a non-natural person. Under s104(6A), consent may be declined where there is a record of ongoing or repeated significant non-compliance and the applicant has been the subject of an enforcement order or conviction. As this application is made under s127 and is treated as if it were an application for resource consent (s127(3)), the applicant declares that it has not received any abatement notice, infringement notice, enforcement order or conviction under the RMA. There is accordingly no compliance history to which the consent authority could have regard under s104(2EA), and the decline ground in s104(6A) is not engaged.

5.1.4 Section 107G

Section 107G RMA provides an applicant with a single opportunity to request a copy of any draft conditions of consent before the consent authority issues its decision or circulates a report under s42A. Where requested, the consent authority must provide the draft conditions, may suspend the processing timeframe once while comments are made within a reasonable period specified by the authority, and may take comments into account to the extent they relate to technical or minor matters.

The changes sought through this s127 application are limited in scope, and the consequential condition amendments are expected to be confined to the staging sequencing, as per the original consent. The applicant however requests, pursuant to s107G, that a copy of the draft amended conditions be provided for review prior to the issue of the decision.

5.2 Section 104(1)(a) Actual and Potential Effects on the Environment

Section 104(1)(a) of the RMA requires that a council have regard to any actual and potential effects on the environment of allowing the activity.

5.2.1 Permitted Baseline / Existing Environment

Pursuant to s104(2), when forming an opinion for the purposes of s104(1)(a) a council may disregard an adverse effect of the activity on the environment if the plan or a NES permits an activity with that effect (i.e. a council may consider the “permitted baseline”). The relevant permitted baseline under this variation application is approved consent 2220128-RMASUB and 47576-RP-PLN-PL01 s127-2 AEE Report (see **Appendix A and B**).

5.2.2 Assessment of Effects

The change is administrative only, with the physical works, their extent, and the built outcome of the subdivision being identical under either a one stage or two stage delivery. The environment as it will exist on completion is unchanged.

The completed subdivision is identical in layout and appearance. Interim amenity effects of a partially completed subdivision are typical of staged land development, are temporary, and are managed through the existing conditions set out under 2220128-RMASUB.

The overall extent of earthworks and construction is unchanged.

Each stage will have suitable access and servicing conditions.

5.2.3 Positive Effects

The positive effects¹ of the development remain unchanged as a result of this variation, separating out the two stages of subdivision expedites the development process.

5.2.4 Neighbouring Properties

The variation is technical in nature, reverting back to the originally approved staging with the updated scheme plan mainly affecting the internal layout of the site and the future residential development. There will be no additional effects on neighbouring properties.

5.2.5 Adverse Effects Conclusion

Overall, it is considered the adverse effects of the proposed variation will be less than minor.

5.3 Section 104(1)(b)(vi) Relevant Provisions of the District Plan Objectives and Policies

Far North District Plan 2009 (ODP)

Discussion of Objectives and Policies

The landform, beyond that consented will not be changed. The provision of infrastructure along with the approved access layout will not be affected. The design, orientation, scale, intensity and layout of the approved subdivision will be maintained, ensuring consistency with the operative zoning provisions, together with the intensity and character of development that is envisaged for this area.

Proposed Far North District Plan 2022 (PDP)

Discussion of Objectives and Policies

As this variation proposes no changes to the scale and intensity of the development, with the staging as per that originally consented by Council under 2220128-RMASUB it is considered the proposed variation remains consistent with the relevant objectives and policies of the PDP.

5.4 Section 104(1)(b)(v) Relevant Provisions of the Regional Policy Statement

The Northland Regional Policy Statement (“RPS”) sets out strategic direction for managing the use, development and protection of the natural and physical resources of the region. The strategic objectives and policies provide a framework to achieve the integrated, consistent and co-ordinated management of the Region’s resources.

The relevant provisions of the RPS have been considered. It is concluded the proposal is consistent with the RPS because the proposal involves a variation to subdivision scheme plan while still achieving

¹ The proposal will also result in positive effects, relating to the provision of 44 additional houses in the residential Kaitaia area. This allows people to provide for their social and economic wellbeing.

the environmental restoration and enhancement, so there will be no additional effects on natural and physical resources arising from the variation to consent conditions.

5.5 Section 104(1)(c) Any other matters considered relevant and reasonably necessary to determine the application

In this case there are no other matters that are considered necessary to determine the application

6.0 Notification (Sections 95A, 95C-95D)

Section 95A outlines that a consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent. In relation to these steps:

- the applicant has not requested that the application be publicly notified;
- public notification is precluded with this application because the proposed variation is a discretionary activity and the activity concerns the subdivision of land and the residential activity; and
- there are no special circumstances relating to this proposal that would warrant notification.

There is therefore no basis to fully notify this application. Resource Consents 2220128-RMASUB and 2220128-RMAVAR/A have been granted on a non-notified basis.

Section 95B outlines that a consent authority must follow the steps set out in this section, in the order given, to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A. In relation to these steps:

- there are no affected protected customary rights groups and/or affected customary marine title groups in relation to this proposal.
- the proposed activity is not on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11;
- the proposal is not a controlled activity, a 'prescribed activity' or a boundary activity.
- there are no affected persons in accordance with section 95E because as described in this report there will be no change to the overall environmental effects associated with the consented development.
- there are no special circumstances relating to this proposal that would warrant limited notification

There is therefore no basis to limited notify this application. Resource Consents 2220128-RMASUB and 2220128-RMAVAR/A have been granted on a non-notified basis.

7.0 Consideration of Part 2 (Purpose and Principles) of the RMA

Section 5 in Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance which need to be recognised and provided for, and includes among other things and in no order of priority, the protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and habitats of indigenous fauna, and the protection of historic heritage.

Section 7 identifies a number of “*other matters*” to be given particular regard by a council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values. Section 8 requires a council to take into account the principles of the Treaty of Waitangi.

Overall, the variation is considered to meet the relevant provisions of Part 2 of the RMA as the proposal to revise the scheme plan achieves the purpose of the RMA being sustainable management of natural and physical resources associated with the land.

8.0 Lapsing of Consent

Section 125 of the RMA provides that if a resource consent is not given effect to within five years of the date of the commencement (or any other time as specified) it automatically lapses unless the consent authority has granted an extension. In this case, it is considered that the five years to give effect to the consent is adequate and no extension is required.

9.0 Conclusion

The Consent Holder seeks consent to vary conditions of subdivision consent 2220128-RMAVAR/A , reinstating the staging which was consented under 2220128-RMASUB, pursuant to s127 of the RMA.

The actual and potential effects likely to result from this proposed variation have been considered in accordance with s104(1)(a) of the RMA, as set out in **Part 5** of this AEE. By way of summary, it is concluded that any actual or potential effects on the surrounding environment will be less than minor. The proposed variation has also been assessed to be consistent with the relevant objectives and policies of the District Plan in accordance with s104(1)(b) of the RMA.

Overall, it is considered that the variation is consistent with the purpose and principles of the RMA and that the consent variation sought should be granted.

10.0 Limitations

This report has been prepared for the particular project described to us and its extent is limited to the scope of work agreed between the client and Cato Bolam Consultants Limited.

No responsibility is accepted by Cato Bolam Consultants Limited or its directors, servants, agents, staff or employees for the accuracy of information provided by third parties and/or the use of any part of this report in any other context or for any other purposes.

This report is for the use by the client only and should not be used or relied upon by any other person or entity or for any other projects.

Te Waka Pupuri Putea Trust
Donald Road, Kaitaia
Resource Consent Application

Appendix C: Copy of Record of Title



PLANNERS
SURVEYORS
ENGINEERS
ARCHITECTS
ENVIRONMENTAL



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



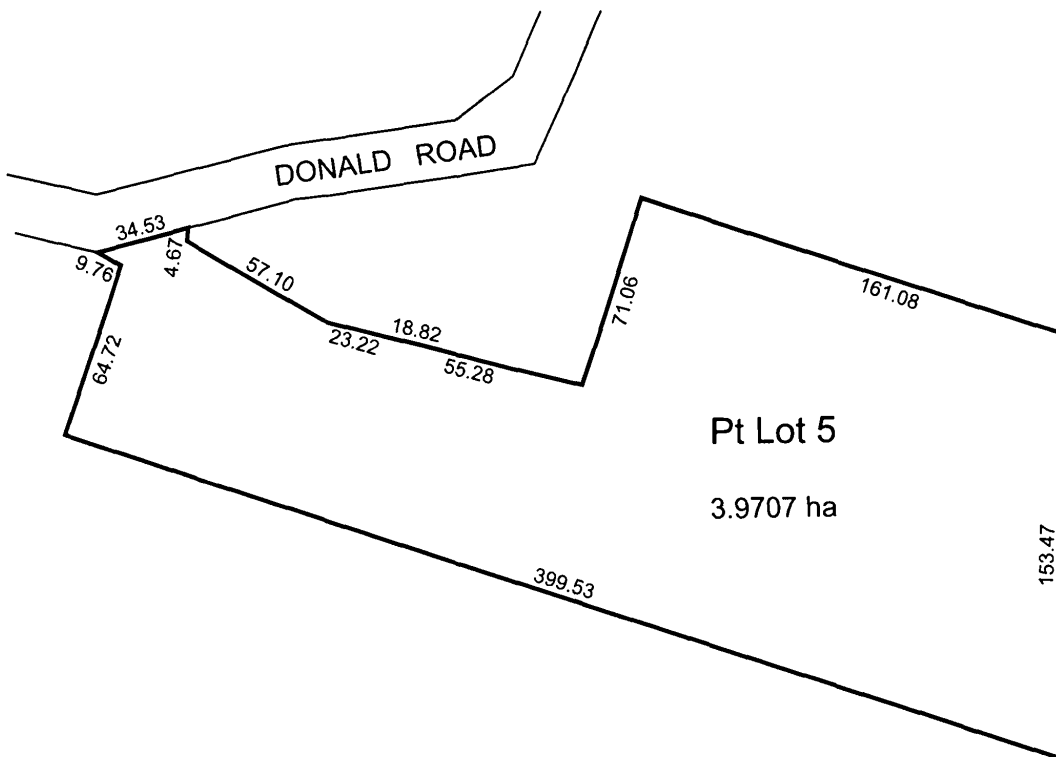

R.W. Muir
Registrar-General
of Land

Identifier **NA49C/1469**
Land Registration District **North Auckland**
Date Issued 19 February 1982

Prior References
NA21C/688

Estate Fee Simple
Area 3.9707 hectares more or less
Legal Description Part Lot 5 Deposited Plan 12002
Registered Owners
Te Waka Pupuri Putea Trust

Interests

CT NA49C/1469
H2011/163

DP 12002

AMENDING DIAGRAM

Title Diagram NA49C/1469

Cpy - 01/01, Page - 001, 08/07/11, 07:54



DocID: 612728882



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



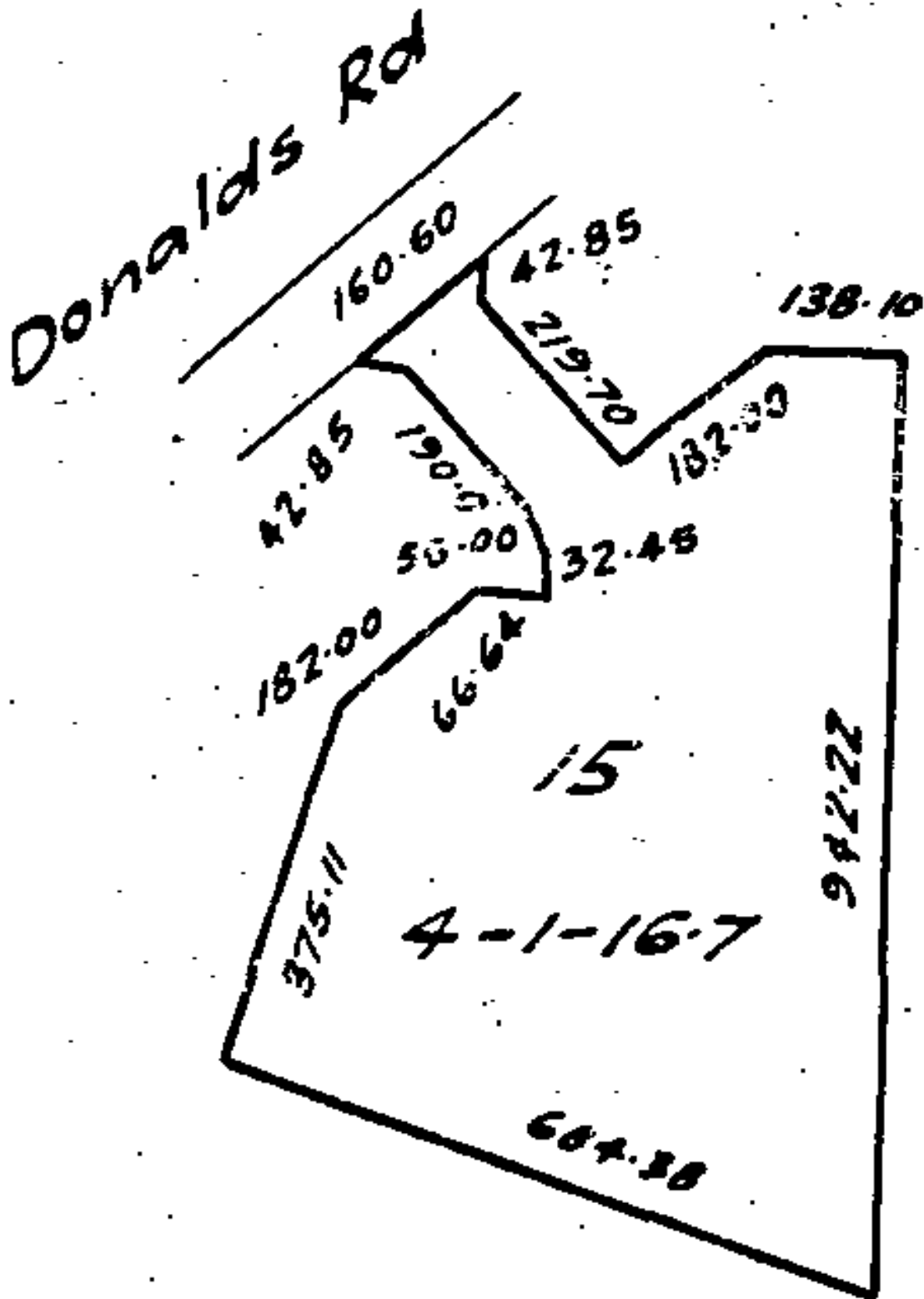

R.W. Muir
Registrar-General
of Land

Identifier **NA19A/1006**
Land Registration District **North Auckland**
Date Issued 24 July 1970

Prior References
NA1100/5

Estate Fee Simple
Area 1.7622 hectares more or less
Legal Description Lot 15 Deposited Plan 46427
Registered Owners
Te Waka Pupuri Putea Trust

Interests
13601598.1 Mortgage to Westpac New Zealand Limited - 22.5.2026 at 10:14 am



Te Waka Pupuri Putea Trust
Donald Road, Kaitaia
Resource Consent Application



Appendix A: Copy of 2220128-RMASUB Decision

PLANNERS
SURVEYORS
ENGINEERS
ARCHITECTS
ENVIRONMENTAL

DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

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

Council Reference:	2220128-RMASUB
Applicant:	Te Waka Pupuri Putea Trust
Property Address:	Donald Road, Kaitaia 0410
Legal Description:	Lot 15 DP 46427 and Part Lot 5 Deposited Plan 12002
Description of Application:	Proposal for a two-stage subdivision in the Residential Zone to create 44 residential allotments, plus the construction of two roads to vest, and two reserves to vest. The stages consist of: <u>Stage 1:</u> • Lots 1- 17 (600m² – 987m²); • Lot 45 (road to vest); • Lot 46 (reserve to vest); • Lot 50 (balance lot). <u>Stage 2:</u> • Lots 18- 44 (600m² – 718m²); • Lot 48 (road to vest); • Lot 47 (reserve to vest).

Conditions

Stage 1- Lots 1-17,45 and 46

General

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

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Williams and King, entitled *Lots 1 - 17 and 50 Being a subdivision of Lot 15 DP 46427 and Pt Lot 5 DP 12002*, dated November 2022, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

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

- a. All easements in the memorandum to be duly granted or reserved.
- b. Reserve to vest (Lot 46);
- c. Road to vest (Lot 45);
- d. No build and building restricted areas where specific geotechnical investigation is required.

Section 223 compliance conditions

3. Prior to the issuing of a certificate pursuant to section 223 of the Act, the consent holder shall:

- a. The consent holder shall submit to Councils Development Engineer or designate a copy of the final signed Development Agreement (DA) in accordance with Section 207C of the Local Government Act 2002 (LGA) between Council and the consent holder. The DA shall include:
 - the scope of works to the Council's wastewater network;
 - any maintenance bonds as deemed required by Council; and
 - any maintenance responsibilities in regards to the proposed wetland areas.
- b. The consent holder shall submit to Councils Development Engineer or designate for approval, Reports, plans, specifications & details of all works on legal road and works which are to vest prior to commencing construction. Such works shall be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's current Engineering Standards, NZS4404:2004, referencing the Reports:
 - Geotechnical Report by NGS, dated 16 October 2020, reference 0141
 - Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300;
 - Assessment of Traffic Effects, produced by Engineering Outcomes Limited, dated 11 August 2021.

The plans for the upgrade to the wastewater network are to be in accordance with the scope of works in condition 3(a) and the DA submitted in condition 3(a).

In particular the plans and details shall show:

- i. The road to vest formed and sealed to a 6m Carriageway with inset parking bays. It shall include a 2nd coat chipseal design to be undertaken within 12 months of the initial seal coat being applied.
- ii. The intersections with Donald Road. Any safe pedestrian connectivity should be demonstrated within the design.
- iii. 10m radius Cul-de-sac at the end of the road meeting the requirements of the Council Standards. Including Heavy duty mountable kerb, asphalt hot mix to comply with TNZ M/14 specifications and a minimum of 50mm thick.

- iv. Streetscaping, road markings and signage.
- v. Footpath and walkway locations and design.
- vi. Street lighting Design to NZTA M30:2014 Specification and Guidelines for Road Lighting Design.
- vii. Location of services within carriageway. (Telecommunications and power)
- viii. Reticulated Sanitary Sewer system. Design shall include the following information
 - 1. Adequacy and Capacity assessment of existing sewer pump station.
 - 2. Recommended upgrades for existing system.
 - 3. Sewer Connection to each allotment (600mm within boundary).
 - 4. Easements in gross over any council infrastructure within private land.
- ix. The proposed stormwater control works to be in place prior to and during construction.
- x. A reticulated stormwater system for road.
- xi. A reticulated stormwater system with a connection to each lot. The design shall be based on infiltration/ soakage as means of stormwater disposal via wetlands, and shall include the following information
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Stormwater Connection to each allotment.
 - 4. Easements in gross over any council infrastructure within private land.
- xii. A reticulated water supply system with a metered connection to each lot. Design shall include the following information
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Water Connection to each allotment.
 - 4. Easements in gross over any council infrastructure within private land.
- xiii. Earthwork details (extent) and construction plans.

- xiv. The details of the sediment and erosion control measures to be put in place during earthworks.
 - xv. A design statement (PS1 or schedule 1A) for vested works from a chartered professional engineer.
- c. Following approval of the plans and selection of the contractor, provide to Council;
 - i. Details of the successful contractor
 - ii. Details of the planned date and duration of the contract
 - iii. Details of the Construction engineer
 - iv. A traffic management plan.
- d. Prior to the commencing of any physical site works, prepare a construction management plan to be submitted to and approved by the Council's Resource Consent Engineer or designate (such approval not to be unreasonably withheld or delayed). The plan shall contain information on, and site management procedures, for the following:
 - i. The timing construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - iii. The bulk earthworks construction, including retaining structures.
 - v. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - vi. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - vii. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of Donald Road.
 - viii. Erosion and sediment control plan and measures to be in place for the duration of the works.
- e. Submit to the Resource Consents Manager or other duly delegated officer, a
 - a detailed revegetation and enhancement planting and maintenance plan; and
 - a weed eradication programme.

The plans shall be prepared by a suitably qualified and experienced person; addressing the matters set out in report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitia, dated August 2021 and submitted with the application.

- f. Provide, for the approval of the Council's Parks and Reserves Planner, or other duly delegated officer (such approval not to be unreasonably withheld or

delayed), a landscape and planting plan, to be prepared by a suitably qualified and experienced person. In particular the plan should identify:

- All proposed footpaths within the reserve; and
- the planting for the reserve area and where possible the plan shall include the provision of fruit trees.

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).

- g. To ensure compliance with condition 3(f) herein, if required by the Council the consent holder shall provide a bond in favour of Council of 150% the value of the enhancement planting to be undertaken, such bond to be provided according to the following conditions:
- (i) The bond shall be arranged prior to a certificate being issued pursuant to section 224(c) of the act and shall be paid either in cash or secured by guarantee in accordance with Councils bonds and undertakings policy;
 - (ii) The bond is to be held for a maximum of 4 years from the date that the revegetation planting is initially completed and may be released within the 4 year period if (in the opinion of the council's monitoring officer) the planting is established to the extent that it does not need further replacement planting or regular maintenance.
 - (iii) The bond maybe reduced and released on an annual basis proportionally on the satisfactory completion of the works and upon receipt from a qualified landscape architect of a certificate as to the extent of the completed works and their value relative to the bond.
 - (iv) The costs of preparing, executing and registering the bond shall be met by the consent holder.
 - (v) The form of the bond shall be approved by council's solicitor.

Section 224(c) compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
- a. Ensure that the approved works carried out by the consent holder and specified in conditions 3(b) above are constructed in accordance with the Councils

Engineering Standards and Guidelines 2004 and the approved plans to the satisfaction of final inspection by the Development Engineer, or designate.

- b. Ensure all construction works on the site are to be undertaken in accordance with the approved construction management plan in condition 3(d).
- c. Prior to the earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
- d. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS4 or Schedule 1c) of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.
- e. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS3 or Schedule 1b) from the Road construction and drainage contractor that the vested road and Drainage is constructed in accordance with Councils Engineering Standards and Guidelines 2004 and approved plans.
- f. The Consent Holder shall provide to Council's development engineer or designate for approval, As-built plans for vested road, foot paths, overland flow paths, storm water drainage, lighting, signage and marking complying with schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Councils Engineering standards and guidelines and in RAAM format for the newly constructed section of road for inputting into the roading database.
- g. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the infrastructure which is to vest in Council for a minimum period of 12 months. Completed works shall be bonded, or retention money held in lieu of a bond, for a defects period of 12 months. Value of bond or retention money shall be 10% of the construction cost.
- h. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each lot.
- i. Provide confirmation from a Licensed Cadastral surveyor that the Vested road, services, stormwater and sewer reticulation and drainage systems are entirely within easements and vested road boundaries
- j. Provide confirmation that Northland Regional Council are satisfied that consent conditions are met, and necessary consents have been obtained for development.
- k. Provide for Councils approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.

- I. Provide confirmation from Council's Maintenance Contractor that the purchase and installation of the council approved road name sign for the road to vest is accepted and will be installed on the vesting of road to council. (i.e. Paid invoice is sufficient evidence).
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
 - a. On Lots 1-17, at the time of building consent, a site specific detailed geotechnical investigation is required to support the design of building foundations **(Lots 1-17)**.
 - b. No buildings or structures are permitted within 10 metres of the wetlands identified on the Masterplan by Matakohē Architecture and Urbanism, reference MA-0020, dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMA SUB **(Lots 5-14)**
 - c. Fencing is not to exceed a maximum height of 1.2 metres on Lots 4-13. **(Lots 1-14)**
 - d. Management of activities on Lots 5-14 , with respect to the wetland areas as identified on the Masterplan by Matakohē Architecture and Urbanism, reference MA-0020 dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMA SUB is to be undertaken so that the natural range of water levels and the natural ecosystem of plants and animals they support do not change as a result of such activities, except by way of an application to the Council to vary or cancel this condition.**(Lots 5-14)**
 - e. No earthworks, structures or buildings are permitted on the area marked 'no build zone' on the survey plan approved as part of RC2220128 RMA SUB.
 - f. No structures or buildings are permitted on the area marked 'building restricted' on the survey plan approved as part of RC2220128 RMA SUB unless a geotechnical assessment has been undertaken by suitably qualified Chartered Professional Engineer, , which confirms it is appropriate to construct a building or structure on that area.

Stage 2- Lots 18-44, 47 and 48

General

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

6. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Williams and King, entitled *Lots 18 - 44 Being a subdivision of Lot 50 Stage II PLAN*, dated June 2021, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

7. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.
 - b. Reserve to vest (Lot 47);
 - c. Road to vest (Lot 48);
 - d. Wetlands.
 - e. No build and building restricted areas where specific geotechnical investigation is required.

Section 223 compliance conditions

8. Prior to the issuing of a certificate pursuant to section 223 of the Act, the consent holder shall:
 - a. The consent holder shall submit to Councils Development Engineer or designate a copy of the final signed Development Agreement (DA) in accordance with Section 207C of the Local Government Act 2002 (LGA) between Council and the consent holder. The DA shall include:
 - any maintenance bonds as deemed required by Council; and
 - any maintenance responsibilities in regards to the proposed wetland areas;
 - the scope of works to the Council's wastewater network.
 - b. The consent holder shall submit to Councils Development Engineer or designate for approval, Reports, plans, specifications & details of all works on legal road and works which are to vest prior to commencing construction. Such approval shall not to be unreasonably withheld or delayed. Such works shall be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's current Engineering Standards, NZS4404:2004, referencing the Reports:
 - Geotechnical Report by NGS, dated 16 October 2020, reference 0141
 - Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300;
 - Assessment of Traffic Effects, produced by Engineering Outcomes Limited, dated 11 August 2021.

The plans for the upgrade to the wastewater network are to be in accordance with the scope of works in condition 8(a) and the DA submitted approved in condition 8(a) .

In particular the plans and details shall show:

- i. The road to vest formed and sealed to a 6m Carriageway with inset parking bays. It shall include a 2nd coat chipseal design to be undertaken within 12 months of the initial seal coat being applied.

- ii. The intersections with Donald Road. Any safe pedestrian connectivity should be demonstrated within the design.
- ii. Streetscaping, road markings and signage.
- iii. Walkway locations and design.
- iv. Street lighting Design to NZTA M30:2014 Specification and Guidelines for Road Lighting Design.
- v. Location of services within carriageway. (Telecommunications and power)
- vi. Reticulated Sanitary Sewer system. Design shall include the following information
 - 1. Adequacy and Capacity assessment of existing sewer pump station.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Sewer Connection to each allotment (600mm within boundary).
 - 4. Easements in gross over any council infrastructure within private land.
- vii. The proposed stormwater control works to be in place prior to and during construction.
- viii. A reticulated stormwater system for road.
- ix. A reticulated stormwater system with a connection to each lot. The design shall be based on infiltration/ soakage as means of stormwater disposal via wetlands, and shall include the following information:
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Stormwater Connection to each allotment.
 - 4. Easements in gross over any council infrastructure within private land.
- x. A reticulated water supply system with a metered connection to each lot. Design shall include the following information
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Stormwater Connection to each allotment.

4. Easements in gross over any council infrastructure within private land.
 - i. Earthwork details (extent) and construction plans.
 - ii. The details of the sediment and erosion control measures to be put in place during earthworks.
 - iii. A design statement (PS1 or schedule 1A) for vested works from a chartered professional engineer.
- c. Following approval of the plans and selection of the contractor, provide to Council;
 - i. Details of the successful contractor
 - ii. Details of the planned date and duration of the contract
 - iii. Details of the Construction engineer
 - iv. A traffic management plan.
- d. That, prior to the commencing of any physical site works, a construction management plan shall be submitted to and approved by the Council's Resource Consent Engineer or designate (such approval not to be unreasonably withheld or delayed). The plan shall contain information on, and site management procedures, for the following:
 - i. The timing construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - iii. The bulk earthworks construction, including retaining structures.
 - v. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - vi. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - vii. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of Donald Road.
 - viii. Erosion and sediment control plan and measures to be in place for the duration of the works.
- e. The consent holder shall provide, for the approval of the Council's Parks and Reserves Planner, or other duly delegated officer (such approval not to be unreasonably withheld or delayed), a landscape and planting plan, to be prepared by a suitably qualified and experienced person. In particular the plan should identify:
 - All proposed footpaths within the reserve; and

- The planting for the reserve area and where possible the plan shall include the provision of fruit trees.
- Planting within the vicinity of the wetlands in accordance with the revegetation and enhancement planting and maintenance plan approved in condition 3(e).

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).

- f. Provide, for the approval of the Council's Parks and Reserves Planner (such approval not to be unreasonably withheld or delayed) , or other duly delegated officer, plans of the wetland design in particular details on the engineering design to allow for the discharge of water from the wetlands.
- g. To ensure compliance with condition 8(e) herein, if required by the Council a bond shall be provided in favour of Council of 150% the value of the enhancement planting to be undertaken, such bond to be provided according to the following conditions:
 - (i) The bond shall be arranged prior to a certificate being issued pursuant to section 224(c) of the act and shall be paid either in cash or secured by guarantee in accordance with Councils bonds and undertakings policy;
 - (ii) The bond is to be held for a maximum of 4 years from the date that the revegetation planting is initially completed and may be released within the 4 year period if (in the opinion of the council's monitoring officer) the planting is established to the extent that it does not need further replacement planting or regular maintenance.
 - (iii) The bond may be reduced and released on an annual basis proportionally on the satisfactory completion of the works and upon receipt from a qualified landscape architect of a certificate as to the extent of the completed works and their value relative to the bond.
 - (iv) The costs of preparing, executing and registering the bond shall be met by the consent holder.
 - (v) The form of the bond shall be approved by council's solicitor.

Section 224(c) compliance conditions

9. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Ensure that the approved works carried out by the consent holder and specified in conditions 8(b) above are constructed in accordance with the Councils

Engineering Standards and Guidelines 2004 and the approved plans to the satisfaction of final inspection by the Development Engineer, or designate.

- b. Ensure all construction works on the site are to be undertaken in accordance with the approved construction management plan in condition 8(d).
- c. Prior to the earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
- d. Upon completion of the works specified in conditions 8(b) above that have been undertaken by the consent holder, provide certification (PS4 or Schedule 1c) of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.
- e. Upon completion of the works specified in conditions 8(b) above that have been undertaken by the consent holder, provide certification (PS3 or Schedule 1b) from the Road construction and drainage contractor that the vested road and Drainage is constructed in accordance with Councils Engineering Standards and Guidelines 2004 and approved plans.
- f. The Consent Holder shall provide to Council's development engineer or designate for approval, As-built plans for vested road, foot paths, overland flow paths, storm water drainage, lighting, signage and marking complying with schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Councils Engineering standards and guidelines and in RAAM format for the newly constructed section of road for inputting into the roading database.
- g. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the infrastructure which is to vest in Council for a minimum period of 12 months. Completed works shall be bonded, or retention money held in lieu of a bond, for a defects period of 12 months. Value of bond or retention money shall be 10% of the construction cost.
- h. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each lot.
- i. Provide confirmation from a Licensed Cadastral surveyor that the Vested road, services, stormwater and sewer reticulation and drainage systems are entirely within easements and vested road boundaries.
- j. Provide confirmation that Northland Regional Council are satisfied that consent conditions are met, and necessary consents have been obtained for development.
- k. Provide for Councils approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.

- I. Provide confirmation from Council's Maintenance Contractor that the purchase and installation of the council approved road name signs (two signs) for the road to vest is accepted and will be installed on the vesting of road to Council. (i.e Paid invoice is sufficient evidence).
10. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
 - a. On Lots 18-44, at the time of building consent, a site specific detailed geotechnical investigation is required to support the design of building foundations. **(Lots 18-44)**
 - b. No buildings or structures are permitted within 10 metres of the wetlands identified on the Masterplan by Matakohe Architecture and Urbanism, reference MA-0020, dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMASUB **(Lots 18-35)**
 - c. Fencing is not to exceed a maximum height of 1.2 metres on Lots 18-23 and 35. **(Lots 18 – 23 and 35)**
 - d. Management of activities on Lots 18-23, with respect to the wetland areas as indicated on the survey plan approved as part of RC2220128 RMASUB is to be undertaken so that the natural range of water levels and the natural ecosystem of plants and animals they support do not change as a result of such activities, except by way of an application to the Council to vary or cancel this condition. **(Lots 18 – 23)**
 - e. No earthworks, structures or buildings are permitted within the area marked 'no build zone' on the survey plan approved as part of RC2220128 RMASUB.
 - f. No earthworks, structures or buildings are permitted within the area marked 'building restricted' on the survey plan approved as part of RC2220128 RMASUB unless a geotechnical assessment has been undertaken by suitably qualified Chartered Professional Engineer.

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
 - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

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

Archaeological Sites

3. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

General Advice Notes

4. *The required upgrade works to the Council's wastewater network has been defined in the Trine Kel Final Wastewater Report, dated 29 September 2022. This has arisen through Council negotiating options to enable the development in collaboration with Kaianga Ora, Māori Infrastructure Fund, FNDC and Hapu.*
5. *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
6. *Building consent and connection to sewer applications maybe required for the installation of sewer connections and water supply.*
7. *The Consent holder shall when conducting works in or close to Donald a road reserve submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) prior to any earthworks commencing.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Non-Complying activity resource consent as such under section 104 the Council can consider all relevant matters.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The proposal will also result in positive effects, relating to the provision of 44 additional houses in the residential Kaitaia area. This allows people to provide for their social and economic wellbeing.

- b. The application proposes lots consistent with the density of development in the surrounding environment. The Masterplan and architectural plans demonstrate how each lot can provide for a residential dwelling in compliance with the bulk and location rules of the District Plan providing for appropriate onsite amenity and privacy. As such character and amenity effects are less than minor and acceptable.
 - c. The traffic assessment has been accepted by the Northland Transport Alliance and Councils Resource Consent Engineer who consider that effects on efficiency and safety of the road network are less than minor. As such traffic and access effects are less than minor and acceptable.
 - d. The application proposes three waters servicing for each lot via a developers agreement. This has been assessed by Councils Infrastructure Asset Management Department and Councils resource consent engineer. As such servicing effects are less than minor and acceptable.
 - e. The application proposes protection and enhancement of a number of wetlands on the site. Subject to consent conditions the ecological effects of the application are no more than minor and acceptable.
 - f. Reverse sensitivity and cumulative effects are less than minor as the application is located in a residential area and the density of the lots is consistent with the surrounding environment.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
- a. National Environmental Standards (Freshwater),
 - b. Regional Policy Statement for Northland 2016,
 - c. Operative Far North District Plan 2009,
 - d. Proposed Far North District Plan 2022

National Environmental Standards (Freshwater)

A resource consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 has been obtained by the applicant from Northland Regional Council. The application has been assessed by Northland Regional Council as consistent with the standards.

Northland Regional Policy Statement 2018

The activity is consistent with the Northland Regional Policy Statement because:

- The application provides 44 additional houses in the residential Kaitia area. This allows people to provide for their economic wellbeing consistent with Objective 3.5 *Enabling Economic Wellbeing*.
- As discussed in the assessment of effects the application does not result in reverse sensitivity effects on the adjoining rural land and as such is consistent with Objective 3.6 *Economic Activities – Reverse Sensitivity and Sterilisation*.

- The applicant will enter into a developers agreement providing infrastructure upgrades where required consistent with Objective 3.8 and Policy 5.2 *Efficient and Effective Infrastructure*.
- The application is supported by a masterplan that looks at coordinated development and urban design consistent with Objective 3.11 and Policy 5.1 *Regional Form*.

Operative Far North District Plan

The objectives and policies of particular relevance to this proposal are located within Chapter 7 – Urban Environment.

Relevant Objectives and Policies within these chapters seek to:

- To protect natural and physical resources;
- To protect the character and amenity of the area
- Provide for residential development at a similar scale to the surrounding environment.
- For stormwater to be designed to minimise adverse effects on the environment;
- That infrastructure be designed to provide for the future while avoiding, remedying and mitigating adverse effects on the environment,

Overall, the proposal is considered to be consistent with the relevant objectives and policies of the abovementioned chapters for the following reasons:

- The application proposes a density of development consistent with the existing environment;
- The masterplan provides a co-ordinated approach to the subdivision ensuring the amenity and character of the area are protected;
- The application includes a developers agreement ensuring adequate servicing for the development.
- The subdivision will connect to Council reticulated stormwater system ensuring less than minor effects on the environment.

Proposed Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Proposed District Plan. Relevant objectives and policies are located within Chapter General Residential (GRZ). Objectives and Policies seek to consolidate urban residential development and reduce urban sprawl while also ensuring provision for adequate services. Built development should reflect high amenity, privacy and sunlight.

The application is consistent with these outcomes as it provides for residential development consistent with the surrounding environment and has detailed the provision for adequate servicing through the developers agreement. The housing in the masterplan provides for appropriate amenity, privacy and sunlight.

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

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

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

Precedent

The non-compliance is largely technical in nature and any precedent set is not considered undesirable and approval of the application will not undermine the integrity of the District Plan.

The approval of the proposal will not undermine the integrity of the District Plan as the activity will produce only localised and minor effects, if any, and will not set an undesirable precedent.

The proposal is considered to have unique features such as the site is currently not serviced however the applicant has agreed to provide for infrastructure which means all sites will be serviced by Councils reticulated network. As such despite the potential for other applications to be lodged that rely on the potential precedent set there is sufficient differentiation of the proposal that a precedent will not result and the integrity of the plan will not be undermined. Furthermore, every resource consent application is assessed on a case by case basis.

7. In regard to section 104D of the Act the activity meets both tests as any adverse effects arising from this proposed activity will not be more than minor, and the activity will not be contrary to the objectives and policies of the Operative District Plan. Therefore, consent can be granted for this non-complying activity.
8. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
9. Based on the assessment above the activity will be consistent with Part 2 of the Act.
- The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
10. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Elisha Oldridge, Senior Planner (Consultant). I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Name: Pat Killalea

Date: 6th December 2022

Title: Principal Planner

Te Waka Pupuri Putea Trust
Donald Road, Kaitaia
Resource Consent Application



Appendix B: Copy of 2220128-RMAVAR/A Decision

PLANNERS
SURVEYORS
ENGINEERS
ARCHITECTS
ENVIRONMENTAL

DECISION ON SECTION 127 APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 127 and Part 2 of the Resource Management Act 1991 (the Act or the RMA), the Far North District Council **grants** resource consent to change conditions of resource consent RC220128-RMASUB to:

Applicant:	Te Waka Pupuri Putea Trust
Council Reference:	2220128-RMAVAR/A
Property Address:	Donald Road, Kaitaia 0410
Legal Description:	Lot 15 DP 46427, Pt Lot 5 DP 12002 Blk I Takahue SD
Description of Application:	Variation of conditions of RC 2220128-RMASUB.

The following changes and/or cancellations to the conditions of resource consent RC222018-RMASUB are made:

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

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

~~Stage 1 – Lots 1-17, 45 and 46~~

General

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

- The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by ~~Williams and King~~ Cato Bolam Consultants, entitled ~~Lots 1-17 and 50 Being a subdivision of Lot 15 DP 46427 and Pt Lot 5 DP 12002~~ Lots 1-47, Lots 200-202 being Proposed Subdivision of Lot 15 DP 46427 & Pt Lot 5 DP 12002 (Reference 47576-DR-PLN-1200), dated November 2022 07/09/2023, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223 RMA) conditions

- The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - All easements in the memorandum to be duly granted or reserved.
 - ~~Reserve to vest (Lot 46).~~ Lot 46 subject to Conservation Covenant Pursuant to Section 77 Reserves Act 1977.

- c. Lot 47 shall be shown as Local Purpose (Drainage) reserve to vest.
- d. Roads to vest (Lot 45 200, Lot 201).
- e. No build and building restricted areas where specific geotechnical investigation is required.
- f. Wetlands.

Section 223 RMA compliance conditions

- 3. Prior to the issuing of a certificate pursuant to section 223 of the Act, the consent holder shall:

- a. The consent holder shall submit to Council's Development Engineer or designate a copy of the final signed Development Agreement (DA) in accordance with Section 207C of the Local Government Act 2002 (LGA) between Council and the consent holder. The DA shall include:
 - the scope of works to the Council's wastewater network;
 - any maintenance bonds as deemed required by Council; and
 - any maintenance responsibilities in regards to the proposed wetland areas.
- b. The consent holder shall submit to Council's Development Engineer or designate for approval, Reports, plans, specifications & details of all works on legal road and works which are to vest prior to commencing construction. Such works shall be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's current Engineering Standards, NZS4404:2004, referencing the Reports:
 - Geotechnical Report by NGS, dated 16 October 2020, reference 0141;
 - Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300;
 - Assessment of Traffic Effects, produced by Engineering Outcomes Limited, dated 11 August 2021.

The plans for the upgrade to the wastewater network are to be in accordance with the scope of works in condition 3(a) and the DA submitted in condition 3(a).

In particular the plans and details shall show:

- i. The road to vest formed and sealed to a 6m Carriageway with inset parking bays. It shall include a 2nd coat chipseal design to be undertaken within 12 months of the initial seal coat being applied.
- ii. The intersections with Donald Road. Any safe pedestrian connectivity should be demonstrated within the design.
- iii. 10m radius Cul-de-sac at the end of the road meeting the requirements of the Council's Standards. Including Heavy duty mountable kerb, asphalt hot mix to comply with TNZ M/14 specifications and a minimum of 50mm thick.
- iv. Streetscaping, road markings and signage.
- v. Footpath and walkway locations and design.

- vi. Street lighting Design to NZTA M30:2014 Specification and Guidelines for Road Lighting Design.
- vii. Location of services within carriageway. (Telecommunications and power)
- viii. Reticulated Sanitary Sewer system. Design shall include the following information:
 - 1. Adequacy and Capacity assessment of existing sewer pump station.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Sewer Connection to each allotment (600mm within boundary).
 - 4. Easements in gross over any council infrastructure within private land.
- ix. The proposed stormwater control works to be in place prior to and during construction.
- x. A reticulated stormwater system for road.
- xi. A reticulated stormwater system with a connection to each lot. The design shall be based on infiltration/ soakage as means of stormwater disposal via wetlands, and shall include the following information:
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Stormwater Connection to each allotment.
 - 4. Easements in gross over any council infrastructure within private land.
- xii. A reticulated water supply system with a metered connection to each lot. Design shall include the following information:
 - 1. Adequacy and Capacity assessment of existing system.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Water Connection to each allotment.
 - 4. Easements in gross over any council infrastructure within private land.
- xiii. Earthwork details (extent) and construction plans.
- xiv. The details of the sediment and erosion control measures to be put in place during earthworks.
- xv. A design statement (PS1 or schedule 1A) for vested works from a chartered professional engineer.
- c. Following approval of the plans and selection of the contractor, provide to Council:
 - i. Details of the successful contractor

- ii. Details of the planned date and duration of the contract
 - iii. Details of the Construction engineer
 - iv. A traffic management plan.
- d. Prior to the commencing of any physical site works, prepare a construction management plan to be submitted to and approved by the Council's Resource Consent Engineer or designate (such approval not to be unreasonably withheld or delayed). The plan shall contain information on, and site management procedures, for the following:
- i. The timing construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - iii. The bulk earthworks construction, including retaining structures.
 - v. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - vi. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - vii. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of Donald Road.
 - viii. Erosion and sediment control plan and measures to be in place for the duration of the works.
- e. Submit to the Resource Consents Manager or other duly delegated officer,
- a detailed revegetation and enhancement planting and maintenance plan; and
 - a weed eradication programme.

The plans shall be prepared by a suitably qualified and experienced person; addressing the matters set out in report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitia, dated August 2021 and submitted with the application.

- f. Provide, for the approval of the Council's Parks and Reserves Planner, or other duly delegated officer (such approval not to be unreasonably withheld or delayed), a landscape and planting plan in general accordance with plan prepared by Simon Cocker, Landscape Architecture, referenced Planting Plan Drawing L1001 and dated 28/11/2023, to be prepared by a suitably qualified and experienced person. In particular the plan should identify:
- All proposed footpaths within the reserve; and boardwalk in Lot 47 (not subject to roading lighting standards)
 - the planting for the reserve area and where possible the plan shall include the provision of fruit trees dense native plantings to improve conservation values and reduce maintenance requirements.

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).

- g. To ensure compliance with condition 3(f) herein, if required by the Council the consent holder shall provide a bond in favour of Council of 150% the value of the enhancement planting to be undertaken, such bond to be provided according to the following conditions:
 - (i) The bond shall be arranged prior to a certificate being issued pursuant to section 224(c) of the Act and shall be paid either in cash or secured by guarantee in accordance with Council's bonds and undertakings policy;
 - (ii) The bond is to be held for a maximum of 4 years from the date that the revegetation planting is initially completed and may be released within the 4 year period if (in the opinion of the council's monitoring officer) the planting is established to the extent that it does not need further replacement planting or regular maintenance.
 - (iii) The bond may be reduced and released on an annual basis proportionally on the satisfactory completion of the works and upon receipt from a qualified landscape architect of a certificate as to the extent of the completed works and their value relative to the bond.
 - (iv) The costs of preparing, executing and registering the bond shall be met by the consent holder.
 - (v) The form of the bond shall be approved by council's solicitor.
- h. Provide, for the approval of the Council's Parks and Reserves Planner (such approval not to be unreasonably withheld or delayed), or other duly delegated officer, plans of the wetland design in particular details on the engineering design to allow for the discharge of water from the wetlands.

Section 224(c) RMA compliance conditions

- 4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Ensure that the approved works carried out by the consent holder and specified in conditions 3(b) above are constructed in accordance with the Council's Engineering Standards and Guidelines 2004 and the approved plans to the satisfaction of final inspection by the Development Engineer or designate.

- b. Ensure all construction works on the site are to be undertaken in accordance with the approved construction management plan in condition 3(d).
- c. Prior to the earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
- d. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS4 or Schedule 1c) of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.
- e. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS3 or Schedule 1b) from the Road construction and drainage contractor that the vested road and Drainage is constructed in accordance with Council's Engineering Standards and Guidelines 2004 and approved plans.
- f. The Consent Holder shall provide to Council's development engineer or designate for approval, As-built plans for vested road, foot paths, overland flow paths, storm water drainage, lighting, signage and marking complying with schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Council's Engineering standards and guidelines and in RAAM format for the newly constructed section of road for inputting into the roading database.
- g. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the infrastructure which is to vest in Council for a minimum period of 12 months. Completed works shall be bonded, or retention money held in lieu of a bond, for a defects period of 12months. Value of bond or retention money shall be 10% of the construction cost.
- h. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each lot.
- i. Provide confirmation from a Licensed Cadastral surveyor that the Vested road, services, stormwater and sewer reticulation and drainage systems are entirely within easements and vested road boundaries
- j. Provide confirmation that Northland Regional Council are satisfied that consent conditions are met, and necessary consents have been obtained for development.
- k. Provide for Council's approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.
- l. Provide confirmation from Council's Maintenance Contractor that the purchase and installation of the council approved road name sign for the road to vest is

accepted and will be installed on the vesting of road to council. (i.e., Paid invoice is sufficient evidence).

5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
- a. ~~On Lots 1-17, a~~ At the time of building consent, a site specific detailed geotechnical investigation is required to support the design of building foundations (**Lots 1-17 44**).
 - b. No buildings or structures are permitted within 10 metres of the wetlands identified on the Masterplan by Matakohe Architecture and Urbanism, reference MA-0020, dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMA SUB (**Lots 5-14 & 18-35**)
 - c. Fencing is not to exceed a maximum height of 1.2 metres ~~on Lots 4-13.~~ (**Lots 1-14, 18-23 & 35**)
 - d. Management of activities on ~~the lot~~ Lots 5-14, with respect to the wetland areas as identified on the Masterplan by Matakohe Architecture and Urbanism, reference MA-0020 dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMA SUB is to be undertaken so that the natural range of water levels and the natural ecosystem of plants and animals they support do not change as a result of such activities, except by way of an application to the Council to vary or cancel this condition. (**Lots 5-14 & 18-23**)
 - e. No earthworks, structures or buildings are permitted on the area marked 'no build zone' on the survey plan approved as part of RC2220128 RMA SUB.
 - f. No structures or buildings are permitted on the area marked 'building restricted' on the survey plan approved as part of RC2220128 RMA SUB unless a geotechnical assessment has been undertaken by a suitably qualified Chartered Professional Engineer, which confirms it is appropriate to construct a building or structure on that area.

~~Stage 2 – Lots 18-44, 47 and 48~~

General

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

- ~~6. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Williams and King, entitled *Lots 18 – 44 Being a subdivision of Lot 50 Stage II PLAN*, dated June 2021, and attached to this consent with the Council's "Approved Stamp" affixed to it.~~

Survey plan approval (s223) conditions

7. ~~The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:~~
- a. ~~All easements in the memorandum to be duly granted or reserved.~~
 - b. ~~Reserve to vest (Lot 47);~~
 - c. ~~Road to vest (Lot 48);~~
 - d. ~~Wetlands.~~
 - e. ~~No build and building restricted areas where specific geotechnical investigation is required.~~

Section 223 compliance conditions

8. ~~Prior to the issuing of a certificate pursuant to section 223 of the Act, the consent holder shall:~~

- a. ~~The consent holder shall submit to Councils Development Engineer or designate a copy of the final signed Development Agreement (DA) in accordance with Section 207C of the Local Government Act 2002 (LGA) between Council and the consent holder. The DA shall include:~~
 - ~~any maintenance bonds as deemed required by Council; and~~
 - ~~any maintenance responsibilities in regards to the proposed wetland areas;~~
 - ~~the scope of works to the Council's wastewater network.~~
- b. ~~The consent holder shall submit to Councils Development Engineer or designate for approval, Reports, plans, specifications & details of all works on legal road and works which are to vest prior to commencing construction. Such approval shall not to be unreasonably withheld or delayed. Such works shall be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's current Engineering Standards, NZS4404:2004, referencing the Reports:~~
 - ~~Geotechnical Report by NGS, dated 16 October 2020, reference 0141~~
 - ~~Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300;~~
 - ~~Assessment of Traffic Effects, produced by Engineering Outcomes Limited, dated 11 August 2021.~~

~~The plans for the upgrade to the wastewater network are to be in accordance with the scope of works in condition 8(a) and the DA submitted approved in condition 8(a).~~

~~In particular the plans and details shall show:~~

- i. ~~The road to vest formed and sealed to a 6m Carriageway with inset parking bays. It shall include a 2nd coat chipseal design to be undertaken within 12 months of the initial seal coat being applied.~~

- ~~ii. The intersections with Donald Road. Any safe pedestrian connectivity should be demonstrated within the design.~~
- ~~ii. Streetscaping, road markings and signage.~~
- ~~iii. Walkway locations and design.~~
- ~~iv. Street lighting Design to NZTA M30:2014 Specification and Guidelines for Road Lighting Design.~~
- ~~v. Location of services within carriageway. (Telecommunications and power)~~
- ~~vi. Reticulated Sanitary Sewer system. Design shall include the following information~~
 - ~~1. Adequacy and Capacity assessment of existing sewer pump station.~~
 - ~~2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.~~
 - ~~3. Sewer Connection to each allotment (600mm within boundary).~~
 - ~~4. Easements in gross over any council infrastructure within private land.~~
- ~~vii. The proposed stormwater control works to be in place prior to and during construction.~~
- ~~viii. A reticulated stormwater system for road.~~
- ~~ix. A reticulated stormwater system with a connection to each lot. The design shall be based on infiltration/ soakage as means of stormwater disposal via wetlands, and shall include the following information:~~
 - ~~1. Adequacy and Capacity assessment of existing system.~~
 - ~~2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.~~
 - ~~3. Stormwater Connection to each allotment.~~
 - ~~4. Easements in gross over any council infrastructure within private land.~~
- ~~x. A reticulated water supply system with a metered connection to each lot. Design shall include the following information~~
 - ~~1. Adequacy and Capacity assessment of existing system.~~
 - ~~2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.~~
 - ~~3. Stormwater Connection to each allotment.~~

- ~~4. Easements in gross over any council infrastructure within private land.~~
 - ~~i. Earthwork details (extent) and construction plans.~~
 - ~~ii. The details of the sediment and erosion control measures to be put in place during earthworks.~~
 - ~~iii. A design statement (PS1 or schedule 1A) for vested works from a chartered professional engineer.~~
- ~~c. Following approval of the plans and selection of the contractor, provide to Council;~~
 - ~~i. Details of the successful contractor~~
 - ~~ii. Details of the planned date and duration of the contract~~
 - ~~iii. Details of the Construction engineer~~
 - ~~iv. A traffic management plan.~~
- ~~d. That, prior to the commencing of any physical site works, a construction management plan shall be submitted to and approved by the Council's Resource Consent Engineer or designate (such approval not to be unreasonably withheld or delayed). The plan shall contain information on, and site management procedures, for the following:~~
 - ~~i. The timing construction works, including hours of work, key project and site management personnel.~~
 - ~~ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.~~
 - ~~iii. The bulk earthworks construction, including retaining structures.~~
 - ~~v. Control of dust and noise on-site and any necessary avoidance or remedial measures.~~
 - ~~vi. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.~~
 - ~~vii. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of Donald Road.~~
 - ~~viii. Erosion and sediment control plan and measures to be in place for the duration of the works.~~
- ~~e. The consent holder shall provide, for the approval of the Council's Parks and Reserves Planner, or other duly delegated officer (such approval not to be unreasonably withheld or delayed), a landscape and planting plan, to be prepared by a suitably qualified and experienced person. In particular the plan should identify:~~
 - ~~• All proposed footpaths within the reserve; and~~

- ~~The planting for the reserve area and where possible the plan shall include the provision of fruit trees.~~
- ~~Planting within the vicinity of the wetlands in accordance with the revegetation and enhancement planting and maintenance plan approved in condition 3(e).~~

~~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).~~

- f. ~~Provide, for the approval of the Council's Parks and Reserves Planner (such approval not to be unreasonably withheld or delayed) , or other duly delegated officer, plans of the wetland design in particular details on the engineering design to allow for the discharge of water from the wetlands.~~
- g. ~~To ensure compliance with condition 8(e) herein, if required by the Council a bond shall be provided in favour of Council of 150% the value of the enhancement planting to be undertaken, such bond to be provided according to the following conditions:~~
 - (i) ~~The bond shall be arranged prior to a certificate being issued pursuant to section 224(c) of the act and shall be paid either in cash or secured by guarantee in accordance with Councils bonds and undertakings policy;~~
 - (ii) ~~The bond is to be held for a maximum of 4 years from the date that the revegetation planting is initially completed and may be released within the 4 year period if (in the opinion of the council's monitoring officer) the planting is established to the extent that it does not need further replacement planting or regular maintenance.~~
 - (iii) ~~The bond may be reduced and released on an annual basis proportionally on the satisfactory completion of the works and upon receipt from a qualified landscape architect of a certificate as to the extent of the completed works and their value relative to the bond.~~
 - (iv) ~~The costs of preparing, executing and registering the bond shall be met by the consent holder.~~
 - (v) ~~The form of the bond shall be approved by council's solicitor.~~

~~Section 224(c) compliance conditions~~

- 9. ~~Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:~~
 - a. ~~Ensure that the approved works carried out by the consent holder and specified in conditions 8(b) above are constructed in accordance with the Councils Engineering Standards and Guidelines 2004 and the approved plans~~

~~to the satisfaction of final inspection by the Development Engineer, or designate.~~

- ~~b. Ensure all construction works on the site are to be undertaken in accordance with the approved construction management plan in condition 8(d).~~
- ~~c. Prior to the earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.~~
- ~~d. Upon completion of the works specified in conditions 8(b) above that have been undertaken by the consent holder, provide certification (PS4 or Schedule 1c) of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.~~
- ~~e. Upon completion of the works specified in conditions 8(b) above that have been undertaken by the consent holder, provide certification (PS3 or Schedule 1b) from the Road construction and drainage contractor that the vested road and Drainage is constructed in accordance with Councils Engineering Standards and Guidelines 2004 and approved plans.~~
- ~~f. The Consent Holder shall provide to Council's development engineer or designate for approval, As-built plans for vested road, foot paths, overland flow paths, storm water drainage, lighting, signage and marking complying with schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Councils Engineering standards and guidelines and in RAAM format for the newly constructed section of road for inputting into the roading database.~~
- ~~g. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the infrastructure which is to vest in Council for a minimum period of 12 months. Completed works shall be bonded, or retention money held in lieu of a bond, for a defects period of 12 months. Value of bond or retention money shall be 10% of the construction cost.~~
- ~~h. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each lot.~~
- ~~i. Provide confirmation from a Licensed Cadastral surveyor that the Vested road, services, stormwater and sewer reticulation and drainage systems are entirely within easements and vested road boundaries.~~
- ~~j. Provide confirmation that Northland Regional Council are satisfied that consent conditions are met, and necessary consents have been obtained for development.~~
- ~~k. Provide for Councils approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.~~

- ~~l. Provide confirmation from Council's Maintenance Contractor that the purchase and installation of the council approved road name signs (two signs) for the road to vest is accepted and will be installed on the vesting of road to Council. (i.e Paid invoice is sufficient evidence).~~
- ~~10. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:~~
- ~~a. On Lots 18-44, at the time of building consent, a site specific detailed geotechnical investigation is required to support the design of building foundations. **(Lots 18-44)**~~
 - ~~b. No buildings or structures are permitted within 10 metres of the wetlands identified on the Masterplan by Matakahe Architecture and Urbanism, reference MA-0020, dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitia, dated August 2021 submitted as part of Resource Consent 2220128-RMASUB **(Lots 18-35)**~~
 - ~~c. Fencing is not to exceed a maximum height of 1.2 metres on Lots 18-23 and 35. **(Lots 18 – 23 and 35)**~~
 - ~~d. Management of activities on Lots 18-23, with respect to the wetland areas as indicated on the survey plan approved as part of RC2220128-RMASUB is to be undertaken so that the natural range of water levels and the natural ecosystem of plants and animals they support do not change as a result of such activities, except by way of an application to the Council to vary or cancel this condition. **(Lots 18 – 23)**~~
 - ~~e. No earthworks, structures or buildings are permitted within the area marked 'no build zone' on the survey plan approved as part of RC2220128-RMASUB.~~
 - ~~f. No earthworks, structures or buildings are permitted within the area marked 'building restricted' on the survey plan approved as part of RC2220128-RMASUB unless a geotechnical assessment has been undertaken by suitably qualified Chartered Professional Engineer.~~

Advice Notes

Lapsing of Consent

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

Right of Objection

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

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act that the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons, and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The proposed change is within the scope of the original resource consent and therefore can be considered under section 127 RMA.
3. In regard to sections 104(1)(a) and 127(3) of the Act, the actual and potential effects of the proposed change will be acceptable as the change of conditions and staging of subdivision do not generate any further adverse effects than what has already been previously approved.
4. In regard to sections 104(1)(ab) and 127(3) of the Act, there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to sections 104(1)(b) and 127(3) of the Act, the following statutory documents are considered to be relevant to the application:
 - Operative Far North District Plan 2009
 - Proposed Far North District Plan 2022.

The activity is consistent with these documents for the reasons set out in pages 8-12 of the Assessment of Environmental Effects submitted with the application.

There have been no changes to objectives and policies in the Operative District Plan since the original consent and previous variation were issued, and the proposed changes being sought are considered to remain consistent with the existing objectives and policies in the Operative District Plan, and the Proposed District Plan.

6. In regard to sections 104(1)(c) and 127 of the Act, there are no other matters relevant and reasonably necessary to determine the application.
7. Based on the assessment above the proposed change will be consistent with Part 2 of the Act.

The proposed change will avoid, remedy, or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the proposed change.

The proposal remains an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment (section 7). The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi (section 8).

8. Overall, for the reasons above it is appropriate for the change(s) of the conditions of consent to be granted.

Approval

This resource consent has been prepared by Jo Graham, Intermediate Resource Planner.

I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and **subject to the conditions above**, and under delegated authority, **grant** this resource consent for a Variation of the conditions of RC2220128-RMASUB at Donald Road, Kaitaia pursuant to sections 104, 104B and 127 of the Resource Management Act 1991.

A handwritten signature in black ink, appearing to read 'Alan Watson', with a stylized, flowing script.

Alan Watson
RMA Commissioner

Date: 1 May 2024

Schedule 1

Complete set of Consent Conditions for RC2220128-RMASUB as Amended by RC2220128-RMAVAR/A

Conditions

General

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

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Cato Bolam Consultants, entitled Lots 1-47, Lots 200-202 being Proposed Subdivision of Lot 15 DP 46427 & Pt Lot 5 DP 12002 (Reference 47576-DR-PLN-1200), dated 07/09/2023, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223 RMA) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.
 - b. Lot 46 subject to Conservation Covenant Pursuant to Section 77 Reserves Act 1977.
 - c. Lot 47 shall be shown as Local Purpose (Drainage) reserve to vest.
 - d. Roads to vest (Lot 200, Lot 201).
 - e. No build and building restricted areas where specific geotechnical investigation is required.
 - f. Wetlands.

Section 223 RMA compliance conditions

3. Prior to the issuing of a certificate pursuant to section 223 of the Act, the consent holder shall:
 - a. The consent holder shall submit to Council's Development Engineer or designate a copy of the final signed Development Agreement (DA) in accordance with Section 207C of the Local Government Act 2002 (LGA) between Council and the consent holder. The DA shall include:
 - the scope of works to the Council's wastewater network;
 - any maintenance bonds as deemed required by Council; and
 - any maintenance responsibilities in regards to the proposed wetland areas.
 - b. The consent holder shall submit to Council's Development Engineer or designate for approval, Reports, plans, specifications & details of all works on

legal road and works which are to vest prior to commencing construction. Such works shall be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's current Engineering Standards, NZS4404:2004, referencing the Reports:

- Geotechnical Report by NGS, dated 16 October 2020, reference 0141;
- Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300;
- Assessment of Traffic Effects, produced by Engineering Outcomes Limited, dated 11 August 2021.

The plans for the upgrade to the wastewater network are to be in accordance with the scope of works in condition 3(a) and the DA submitted in condition 3(a).

In particular the plans and details shall show:

- xvi. The road to vest formed and sealed to a 6m Carriageway with inset parking bays. It shall include a 2nd coat chipseal design to be undertaken within 12 months of the initial seal coat being applied.
- xvii. The intersections with Donald Road. Any safe pedestrian connectivity should be demonstrated within the design.
- xviii. 10m radius Cul-de-sac at the end of the road meeting the requirements of the Council's Standards. Including Heavy duty mountable kerb, asphalt hot mix to comply with TNZ M/14 specifications and a minimum of 50mm thick.
- xix. Streetscaping, road markings and signage.
- xx. Footpath and walkway locations and design.
- xxi. Street lighting Design to NZTA M30:2014 Specification and Guidelines for Road Lighting Design.
- xxii. Location of services within carriageway. (Telecommunications and power).
- xxiii. Reticulated Sanitary Sewer system. Design shall include the following information:
 - 1. Adequacy and Capacity assessment of existing sewer pump station.
 - 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 - 3. Sewer Connection to each allotment (600mm within boundary).
 - 4. Easements in gross over any council infrastructure within private land.
- xxiv. The proposed stormwater control works to be in place prior to and during construction.
- xxv. A reticulated stormwater system for road.
- xxvi. A reticulated stormwater system with a connection to each lot. The design shall be based on infiltration/ soakage as means of stormwater disposal via wetlands, and shall include the following information:
 - 1. Adequacy and Capacity assessment of existing system.

2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 3. Stormwater Connection to each allotment.
 4. Easements in gross over any council infrastructure within private land.
- xxvii. A reticulated water supply system with a metered connection to each lot. Design shall include the following information:
1. Adequacy and Capacity assessment of existing system.
 2. Recommended upgrades for existing system based on the Three Waters Engineering Concept Design produced by Pattle Delamore Partners, dated August 2021, project reference A03778300.
 3. Water Connection to each allotment.
 4. Easements in gross over any council infrastructure within private land.
- xxviii. Earthwork details (extent) and construction plans.
- xxix. The details of the sediment and erosion control measures to be put in place during earthworks.
- xxx. A design statement (PS1 or schedule 1A) for vested works from a chartered professional engineer.
- c. Following approval of the plans and selection of the contractor, provide to Council:
- ix. Details of the successful contractor
 - x. Details of the planned date and duration of the contract
 - xi. Details of the Construction engineer
 - xii. A traffic management plan.
- d. Prior to the commencing of any physical site works, prepare a construction management plan to be submitted to and approved by the Council's Resource Consent Engineer or designate (such approval not to be unreasonably withheld or delayed). The plan shall contain information on, and site management procedures, for the following:
- iv. The timing construction works, including hours of work, key project and site management personnel.
 - v. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - vi. The bulk earthworks construction, including retaining structures.
 - xiii. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - xiv. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.

- xv. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of Donald Road.
 - xvi. Erosion and sediment control plan and measures to be in place for the duration of the works.
- e. Submit to the Resource Consents Manager or other duly delegated officer, a
- a detailed revegetation and enhancement planting and maintenance plan; and
 - a weed eradication programme.

The plans shall be prepared by a suitably qualified and experienced person; addressing the matters set out in report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 and submitted with the application.

- f. Provide, for the approval of the Council's Parks and Reserves Planner, or other duly delegated officer (such approval not to be unreasonably withheld or delayed), a landscape and planting plan in general accordance with plan prepared by Simon Cocker, Landscape Architecture, referenced Planting Plan Drawing L1001 and dated 28/11/2023. In particular, the plan should identify:
- All proposed footpaths within the reserve; and boardwalk in Lot 47 (not subject to roading lighting standards)
 - the planting for the reserve area and where possible the plan shall include dense native plantings to improve conservation values and reduce maintenance requirements.

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).

- g. To ensure compliance with condition 3(f) herein, if required by the Council the consent holder shall provide a bond in favour of Council of 150% the value of the enhancement planting to be undertaken, such bond to be provided according to the following conditions:
- (vi) The bond shall be arranged prior to a certificate being issued pursuant to section 224(c) of the Act and shall be paid either in cash or secured by guarantee in accordance with Council's bonds and undertakings policy;
 - (vii) The bond is to be held for a maximum of 4 years from the date that the revegetation planting is initially completed and may be released within the 4 year period if (in the opinion of the council's monitoring officer) the

planting is established to the extent that it does not need further replacement planting or regular maintenance.

- (viii) The bond may be reduced and released on an annual basis proportionally on the satisfactory completion of the works and upon receipt from a qualified landscape architect of a certificate as to the extent of the completed works and their value relative to the bond.
 - (ix) The costs of preparing, executing and registering the bond shall be met by the consent holder.
 - (x) The form of the bond shall be approved by council's solicitor.
- h. Provide, for the approval of the Council's Parks and Reserves Planner (such approval not to be unreasonably withheld or delayed), or other duly delegated officer, plans of the wetland design in particular details on the engineering design to allow for the discharge of water from the wetlands.

Section 224(c) RMA compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
- a. Ensure that the approved works carried out by the consent holder and specified in conditions 3(b) above are constructed in accordance with the Council's Engineering Standards and Guidelines 2004 and the approved plans to the satisfaction of final inspection by the Development Engineer or designate.
 - b. Ensure all construction works on the site are to be undertaken in accordance with the approved construction management plan in condition 3(d).
 - c. Prior to the earthworks commencing, install sediment control measures in accordance with the requirements of the Auckland Council Guidance Document GD05. The measures shall be maintained and cleaned out until such time as non-erodible cover has been established over the site.
 - d. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS4 or Schedule 1c) of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.
 - e. Upon completion of the works specified in conditions 3(b) above that have been carried out by the consent holder, provide certification (PS3 or Schedule 1b) from the Road construction and drainage contractor that the vested road and Drainage is constructed in accordance with Council's Engineering Standards and Guidelines 2004 and approved plans.
 - f. The Consent Holder shall provide to Council's development engineer or designate for approval, As-built plans for vested road, foot paths, overland flow paths, storm water drainage, lighting, signage and marking complying with

schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Council's Engineering standards and guidelines and in RAAM format for the newly constructed section of road for inputting into the roading database.

- g. Provide evidence that a maintenance agreement has been entered into with the contractor who is to maintain the infrastructure which is to vest in Council for a minimum period of 12 months. Completed works shall be bonded, or retention money held in lieu of a bond, for a defects period of 12 months. Value of bond or retention money shall be 10% of the construction cost.
 - h. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each lot.
 - i. Provide confirmation from a Licensed Cadastral surveyor that the Vested road, services, stormwater and sewer reticulation and drainage systems are entirely within easements and vested road boundaries.
 - j. Provide confirmation that Northland Regional Council are satisfied that consent conditions are met, and necessary consents have been obtained for development.
 - k. Provide for Council's approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the Area.
 - l. Provide confirmation from Council's Maintenance Contractor that the purchase and installation of the council approved road name sign for the road to vest is accepted and will be installed on the vesting of road to council. (i.e., Paid invoice is sufficient evidence).
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
- a. At the time of building consent, a site specific detailed geotechnical investigation is required to support the design of building foundations.
(Lots 1- 44)
 - b. No buildings or structures are permitted within 10 metres of the wetlands identified on the Masterplan by Matakohē Architecture and Urbanism, reference MA-0020, dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitiaia, dated August 2021 submitted as part of Resource Consent 2220128- RMASUB.
(Lots 5-14 & 18-35)
 - c. Fencing is not to exceed a maximum height of 1.2 metres.
(Lots 1-14, 18-23 & 35)

- d. Management of activities on the lot, with respect to the wetland areas as identified on the Masterplan by Matakoho Architecture and Urbanism, reference MA-0020 dated 30/07/2021 and the report by the Ecology Company entitled Ecological Assessment and Wetland Delineation at Tō Tātou Kāinga, Donald Road, Kaitaia, dated August 2021 submitted as part of Resource Consent 2220128- RMA SUB is to be undertaken so that the natural range of water levels and the natural ecosystem of plants and animals they support do not change as a result of such activities, except by way of an application to the Council to vary or cancel this condition.

(Lots 5-14 & 18-23)

- e. No earthworks, structures or buildings are permitted on the area marked 'no build zone' on the survey plan approved as part of RC2220128 RMA SUB.
- f. No structures or buildings are permitted on the area marked 'building restricted' on the survey plan approved as part of RC2220128 RMA SUB unless a geotechnical assessment has been undertaken by a suitably qualified Chartered Professional Engineer, which confirms it is appropriate to construct a building or structure on that area.

Advice Notes

Lapsing of Consent

1. *Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses:*
 - a) *A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or*
 - b) *An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

Right of Objection

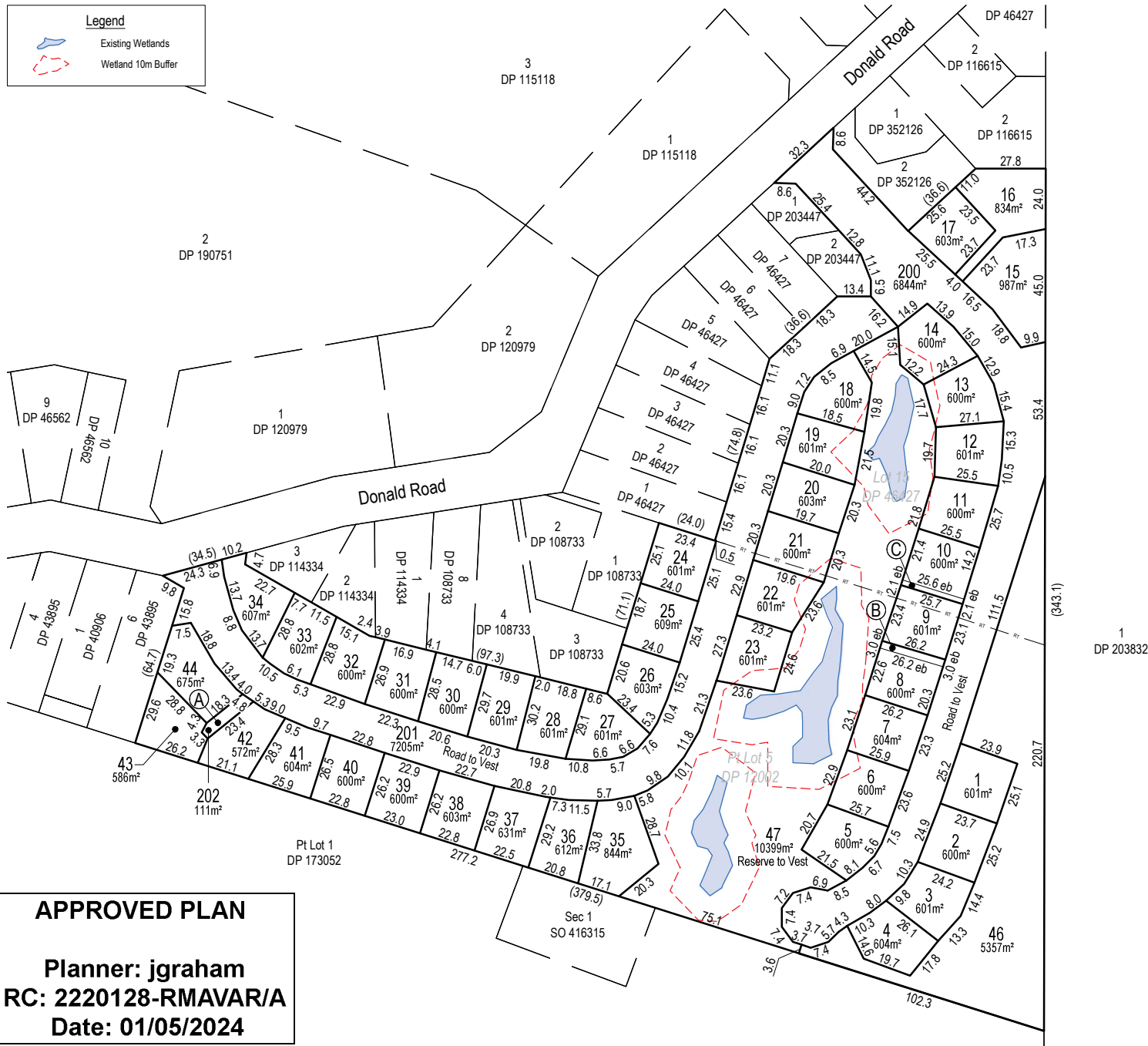
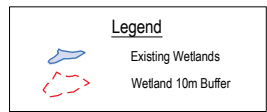
2. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

Archaeological Sites

3. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

General Advice Notes

4. *The required upgrade works to the Council's wastewater network has been defined in the Trine Kel Final Wastewater Report, dated 29 September 2022. This has arisen through Council negotiating options to enable the development in collaboration with Kaianga Ora, Māori Infrastructure Fund, FNDC and Hapu.*
5. *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
6. *Building consent and connection to sewer applications may be required for the installation of sewer connections and water supply.*
7. *The Consent holder shall when conducting works in or close to Donald a road reserve, submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) prior to any earthworks commencing.*



This drawing and design remains the property of, and may not be reproduced or amended without the written permission of Cato Bolam Consultants Ltd. No liability shall be accepted for unauthorised use of this drawing and design.

Local Authority: Northland Regional Council
Comprised in: RT NA19A/006 &
RT NA49C/1469
Total Area: 5.73ha

Areas and measurements are subject to survey.

MEMORANDUM OF EASEMENTS			
Purpose	Shown	Burdened Land (Servient)	Benefited Land (Dominant)
Right of way, Right to convey water, electricity, gas, telecommunications Right to drain water Right to drain sewage	(A)	Lot 202 hereon	Lot 42-44 hereon

MEMORANDUM OF EASEMENTS IN GROSS			
Purpose	Shown	Burdened Land (Servient)	Grantee
Right to drain water	(B)	Lot 8 hereon	Far North District Council
	(C)	Lot 10 hereon	Far North District Council

Cato Bolam
creating great places

PLANNERS | SURVEYORS | ENGINEERS
ARCHITECTS | ENVIRONMENTAL

Te Waka Pupuri Putea Trust
Donald Road
Kaitia

Lot 1-47, Lots 200-202
being Proposed Subdivision of
Lot 15 DP 46427 &
Pt Lot 5 DP 12002

FOR RESOURCE CONSENT

No.	REVISION (DESCRIPTIONS)	NAME	DATE
A	Issued For Client Approval	S.Reiher	06/09/2023
B	Issued For Resource Consent	S.Reiher	07/09/2023
C	Issued For Resource Consent	S.Reiher	TBC
SURVEYED		R.Cowie	21/08/2023
DESIGNED		S.Reiher	01/09/2023
DRAWN		B.Nel	05/09/2023
DATE	ORIGINAL SCALE	ORIGINAL SIZE	
TBC	1:1500	A3	
DRAWING NO.			REVISION
47576-DR-C-1200			C

Te Waka Pupuri Putea Trust
Donald Road, Kaitaia
Resource Consent Application



Appendix D: Plan for Stage 1 – LT 618582

PLANNERS
SURVEYORS
ENGINEERS
ARCHITECTS
ENVIRONMENTAL



Title Plan - LT 618582

Survey Number LT 618582
Surveyor Reference 47576 - Donald Rd Stge 1
Surveyor Jarred Kristopher Lloyd
Survey Firm Cato Bolam Consultants Ltd (Auckland)
Surveyor Declaration

Survey Details

Dataset Description Lots 1-17, 46, 200 & 300 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002

Status Initiated

Land District North Auckland

Survey Class Class A

Submitted Date

Survey Approval Date

Deposit Date

Territorial Authorities

Far North District

Comprised In

RT NA19A/1006

RT NA49C/1469

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 1 Deposited Plan 618582	Fee Simple Title	0.0602 Ha	1298999
Lot 2 Deposited Plan 618582	Fee Simple Title	0.0601 Ha	1299000
Lot 3 Deposited Plan 618582	Fee Simple Title	0.0602 Ha	1299001
Lot 4 Deposited Plan 618582	Fee Simple Title	0.0605 Ha	1299002
Lot 5 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299003
Lot 6 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299004
Lot 7 Deposited Plan 618582	Fee Simple Title	0.0603 Ha	1299005
Lot 8 Deposited Plan 618582	Fee Simple Title	0.0602 Ha	1299006
Lot 9 Deposited Plan 618582	Fee Simple Title	0.0603 Ha	1299007
Lot 10 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299008
Lot 11 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299009
Lot 12 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299010
Lot 13 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299011
Lot 14 Deposited Plan 618582	Fee Simple Title	0.0600 Ha	1299012
Lot 15 Deposited Plan 618582	Fee Simple Title	0.0986 Ha	1299013
Lot 16 Deposited Plan 618582	Fee Simple Title	0.0835 Ha	1299014
Lot 17 Deposited Plan 618582	Fee Simple Title	0.0602 Ha	1299015
Lot 46 Deposited Plan 618582	Fee Simple Title	0.5351 Ha	1299016
Lot 200 Deposited Plan 618582	Vesting on Deposit for Road	0.6853 Ha	
Lot 300 Deposited Plan 618582	Fee Simple Title	3.4262 Ha	1299017
Area B Deposited Plan 618582	Easement		



Title Plan - LT 618582

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area C Deposited Plan 618582	Easement		
Total Area		5.7307 Ha	

LT 618582 Schedule/Memorandum

Land registration district

North Auckland

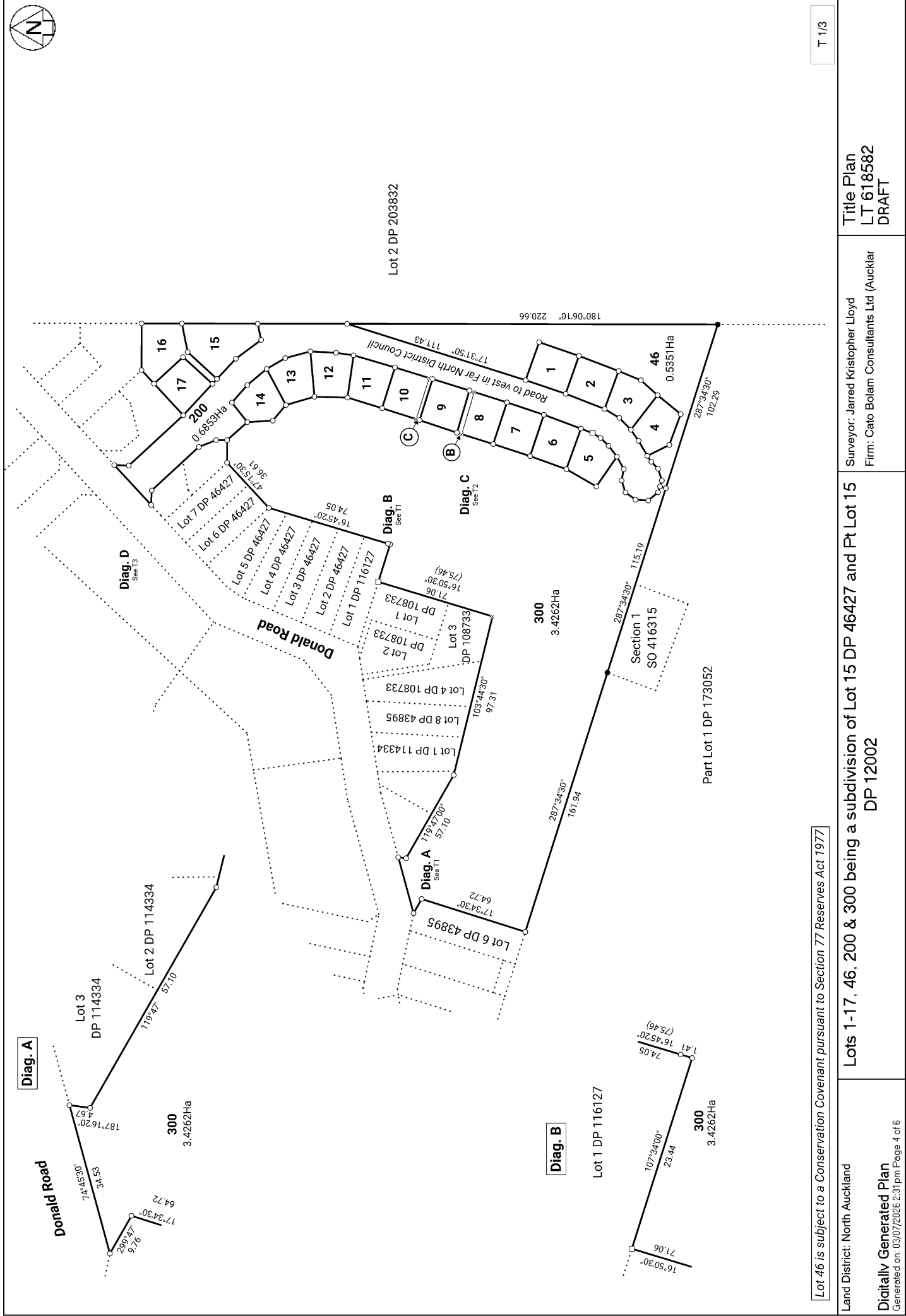
Territorial authority

Far North District

Memorandum of Easements in Gross

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

PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to drain water	B	Lot 8	Far North District Council
" "	C	Lot 10	Far North District Council



Lot 46 is subject to a Conservation Covenant pursuant to Section 77 Reserves Act 1977

T 1/3

Land District: North Auckland

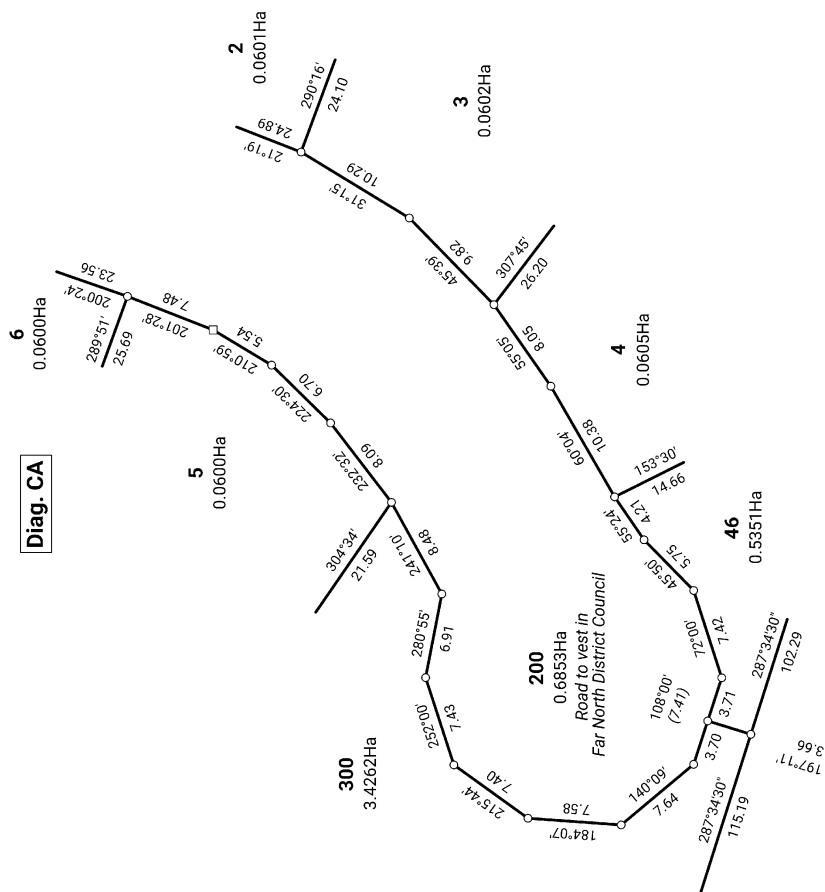
Lots 1-17, 46, 200 & 300 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002

Surveyor: Jarred Kristopher Lloyd
Firm: Cato Bolam Consultants Ltd (Auckland)

Title Plan
LT 618582
DRAFT

Digitally Generated Plan

Generated on: 03/07/2026 2:31pm Page 4 of 6



Part Lot 1 DP 173052

T 2/3

Land District: North Auckland

Lots 1-17, 46, 200 & 300 being a subdivision of Lot 15 DP 46427 and Pt Lot 15

Surveyor: Jarred Kristopher Lloyd
Firm: Cato Bolam Consultants Ltd (Auckland)

Title Plan
LT 618582
DRAFT

Digitally Generated Plan

Generated on: 03/07/2026 2:31 pm Page 5 of 6



Diag. D

Lot 1 DP 352126

Lot 2 DP 352126

Road to vest in
Far North District Council

Lot 1 DP 203447

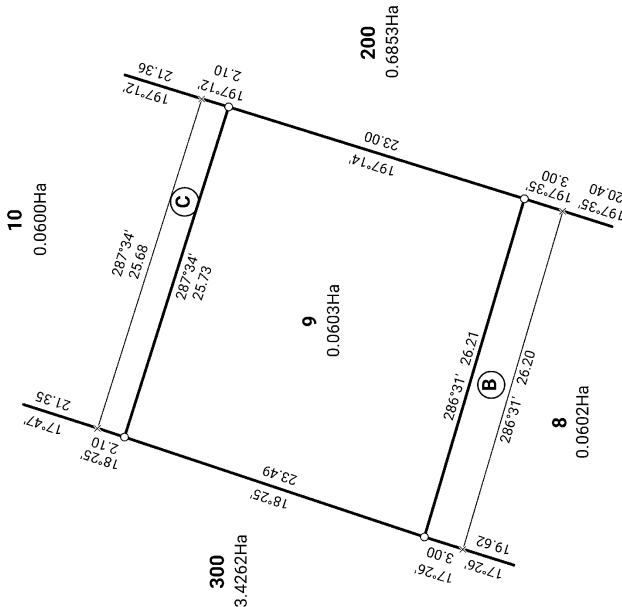
Lot 2 DP 203447

Lot 7 DP 46427

Lot 6 DP 46427

Lot 5 DP 46427

Diag. CB



Lot 2 DP 203832

Donald Road

47°15'30"

32.31

182°15'30"

8.62

272°15'30"

8.62

317°15'30"

38.22

137°15'30"

44.20

47°15'30"

25.62

317°25'

23.44

47°15'30"

10.99

90°05'

27.78

180°06'10"

24.01

180°06'10"

45.14

180°06'10"

53.29

180°06'10"

220.66

17°31'50"

11.43

46

16

0.0835Ha

258°36'

17.28

222°34'

23.73

312°51'

4.00

151°51'

16.46

312°51'

16.46

131°21'

13.90

51°45'

14.86

356°30'

15.14

310°02'

12.18

241°56'

24.32

58°48'

12.80

140°16'

15.01

323°22'

67.81

258°05'

9.88

180°06'10"

53.29

180°06'10"

220.66

17°31'50"

11.43

46

17

0.0602Ha

258°36'

17.28

222°34'

23.73

312°51'

4.00

151°51'

16.46

312°51'

16.46

131°21'

13.90

51°45'

14.86

356°30'

15.14

310°02'

12.18

241°56'

24.32

58°48'

12.80

140°16'

15.01

323°22'

67.81

258°05'

9.88

180°06'10"

53.29

180°06'10"

220.66

Lots 1-17, 46, 200 & 300 being a subdivision of Lot 15 DP 46427 and Pt Lot 15

DP 12002

Land District: North Auckland

Digitally Generated Plan

Generated on: 03/07/2026 2:31pm Page 6 of 6

Surveyor: Jarred Kristopher Lloyd
Firm: Cato Bolam Consultants Ltd (Auckland)

Title Plan
LT 618582
DRAFT

T 3/3

Te Waka Pupuri Putea Trust
Donald Road, Kaitaia
Resource Consent Application



Appendix E: Plan for stage 2 – LT 632185

PLANNERS
SURVEYORS
ENGINEERS
ARCHITECTS
ENVIRONMENTAL



Title Plan - LT 632185

Survey Number LT 632185
Surveyor Reference 47576 - Donald Rd Stge 2
Surveyor Dwayne Simon Reiher
Survey Firm Cato Bolam Consultants Ltd (Auckland)
Surveyor Declaration

Survey Details

Dataset Description Lots 1-47 and Lots 200-202 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002

Status Initiated

Land District North Auckland

Survey Class Class A

Submitted Date

Survey Approval Date

Deposit Date

Territorial Authorities

Far North District

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 18 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299087
Lot 19 Deposited Plan 632185	Fee Simple Title	0.0603 Ha	1299088
Lot 20 Deposited Plan 632185	Fee Simple Title	0.0602 Ha	1299089
Lot 21 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299090
Lot 22 Deposited Plan 632185	Fee Simple Title	0.0602 Ha	1299091
Lot 23 Deposited Plan 632185	Fee Simple Title	0.0602 Ha	1299092
Lot 24 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299093
Lot 25 Deposited Plan 632185	Fee Simple Title	0.0608 Ha	1299094
Lot 26 Deposited Plan 632185	Fee Simple Title	0.0603 Ha	1299095
Lot 27 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299096
Lot 28 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299097
Lot 29 Deposited Plan 632185	Fee Simple Title	0.0601 Ha	1299098
Lot 30 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299099
Lot 31 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299100
Lot 32 Deposited Plan 632185	Fee Simple Title	0.0600 Ha	1299101
Lot 33 Deposited Plan 632185	Fee Simple Title	0.0602 Ha	1299102
Lot 34 Deposited Plan 632185	Fee Simple Title	0.0608 Ha	1299103
Lot 35 Deposited Plan 632185	Fee Simple Title	0.0840 Ha	1299104
Lot 36 Deposited Plan 632185	Fee Simple Title	0.0605 Ha	1299105
Lot 37 Deposited Plan 632185	Fee Simple Title	0.0636 Ha	1299106
Lot 38 Deposited Plan 632185	Fee Simple Title	0.0605 Ha	1299107
Lot 39 Deposited Plan 632185	Fee Simple Title	0.0608 Ha	1299108
Lot 40 Deposited Plan 632185	Fee Simple Title	0.0601 Ha	1299109
Lot 41 Deposited Plan 632185	Fee Simple Title	0.0615 Ha	1299110
Lot 42 Deposited Plan 632185	Fee Simple Title	0.0562 Ha	1299111
Lot 43 Deposited Plan 632185	Fee Simple Title	0.0586 Ha	1299112
Lot 44 Deposited Plan 632185	Fee Simple Title	0.0675 Ha	1299113



Title Plan - LT 632185

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 47 Deposited Plan 632185	Vesting on Deposit for Local Purpose Reserve	1.0384 Ha	
Lot 201 Deposited Plan 632185	Fee Simple Title	0.7200 Ha	
Lot 202 Deposited Plan 632185	Fee Simple Title	0.0111 Ha	Multiple
Area A Deposited Plan 632185	Easement		
Total Area		3.4259 Ha	

LT 632185 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 sewage, water Right to convey electricity, telecommunications, water	A	Lot 202	Lot 42, Lot 43, Lot 44

Amalgamation Conditions

That Lot 202 Plan hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 42 - 44 hereon as tenants in common in the said shares and that individual Record of Titles be issued in accordance therewith. see (LINZ ref)



T 1/5

Title Plan
LT 632185
DRAFT

Surveyor: Dwayne Simon Reiher
Firm: Cato Bolam Consultants Ltd (Aucklar

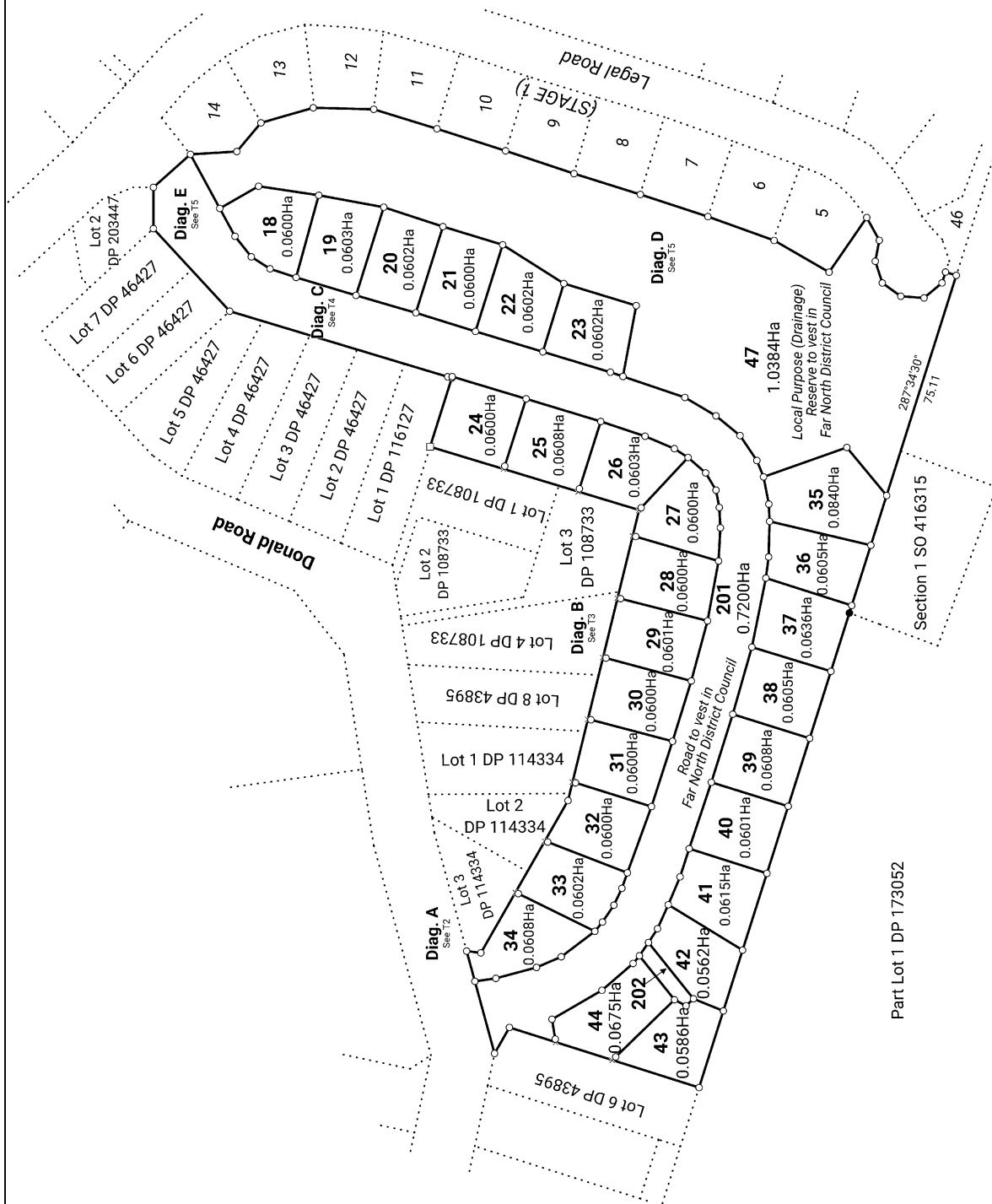
Lots 1-47 and Lots 200-202 being a subdivision of Lot 15 DP 46427 and Pt Lot
15 DP 12002

Land District: North Auckland

Digitally Generated Plan

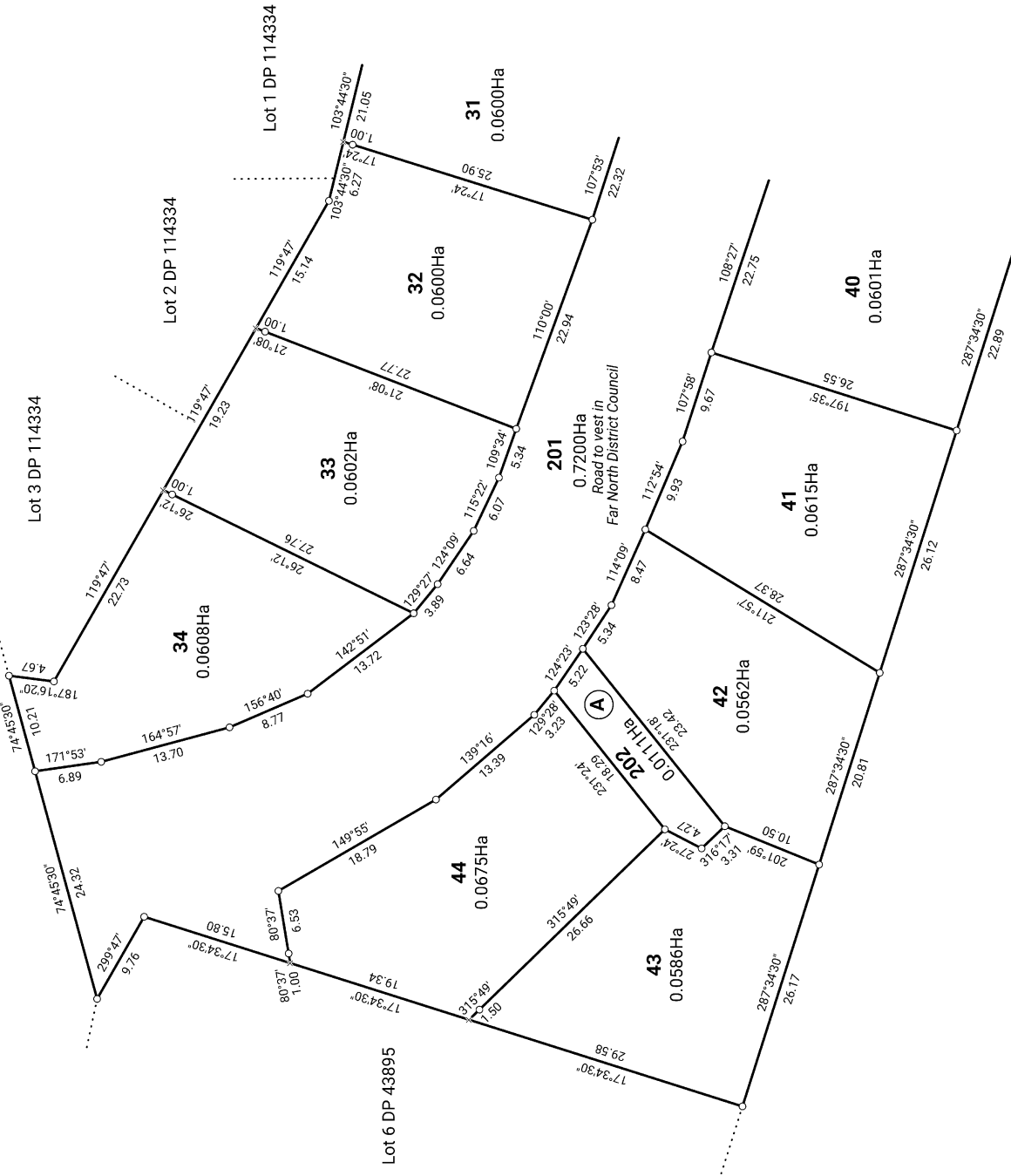
Generated on: 03/07/2026 2:36pm Page 4 of 8

That Lot 202 Plan hereon (legal access) be held
as to three undivided one-third shares by the
owners of Lots 42 - 44 hereon as tenants in common
in the said shares and that individual Record of Titles
be issued in accordance therewith. see (LINZ ref)





Diag. A



Land District: North Auckland	Lots 1-47 and Lots 200-202 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002	Surveyor: Dwayne Simon Reiher Firm: Cato Bolam Consultants Ltd (Aucklar)	Title Plan LT 632185 DRAFT
Digitally Generated Plan Generated on: 03/07/2026 2:38pm Page 5 of 8			



Diag. B



47
1.0384Ha
Local Purpose (Drainage)
Reserve to vest in
Far North District Council

T 3/5

Land District: North Auckland

Digitally Generated Plan

Generated on: 03/07/2026 2:38pm Page 6 of 8

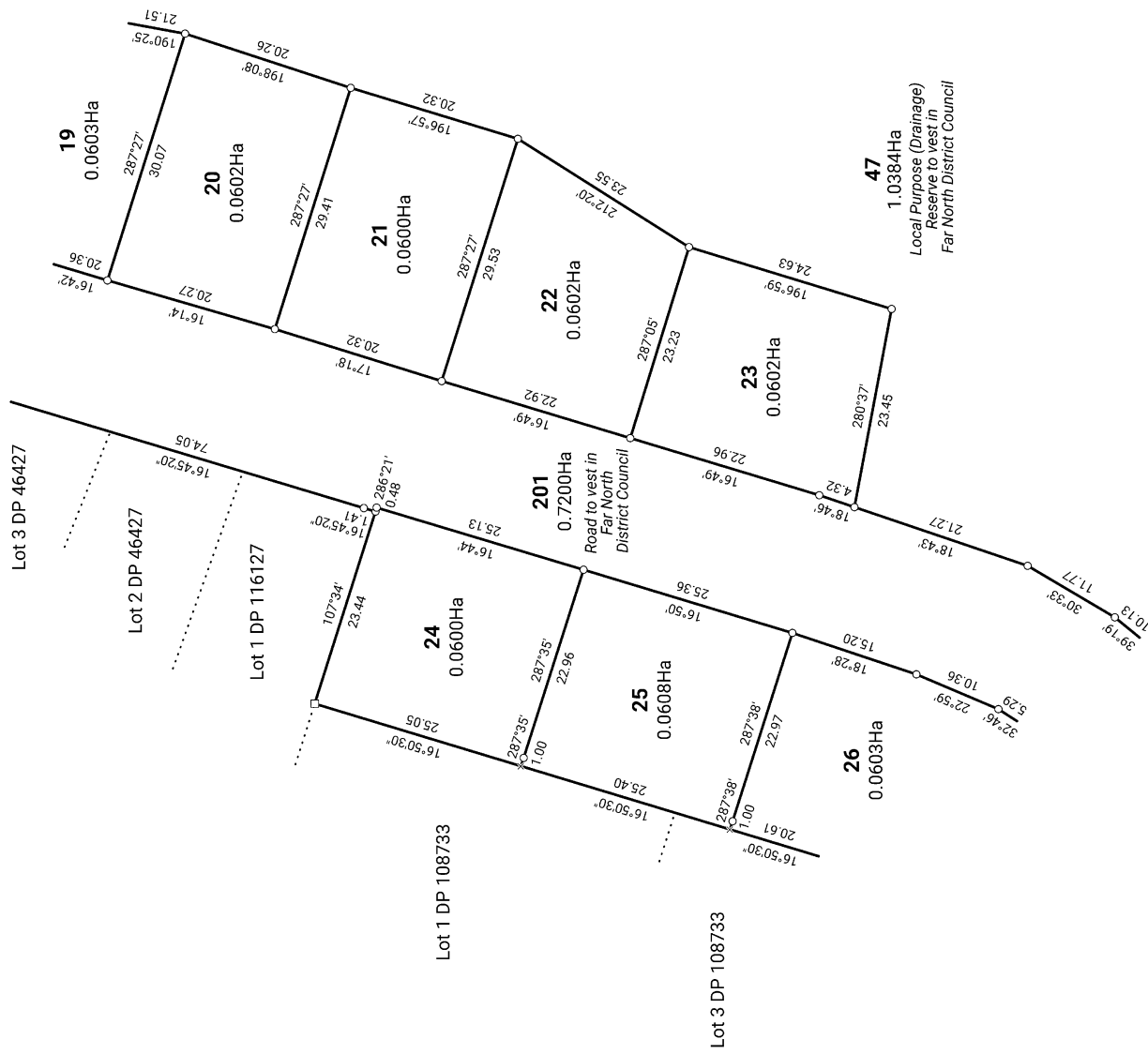
Lots 1-47 and Lots 200-202 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002

Surveyor: Dwayne Simon Reiher
Firm: Cato Bolam Consultants Ltd (Aucklar

**Title Plan
LT 632185
DRAFT**



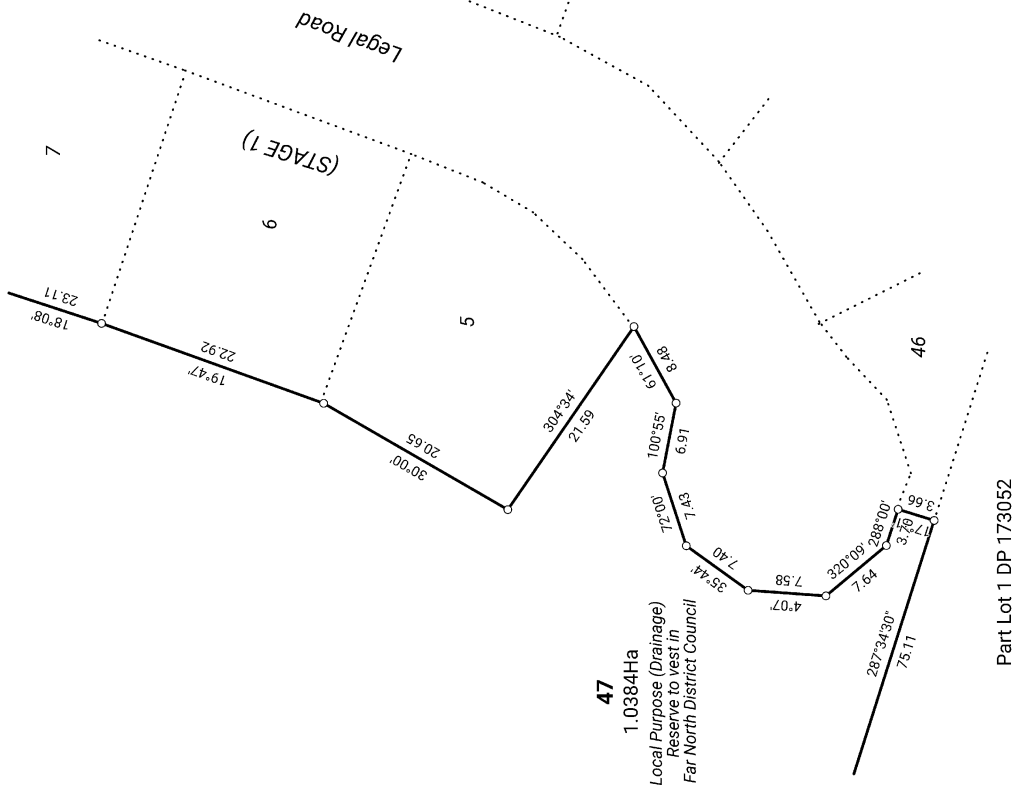
Diag. C



Land District: North Auckland	Lots 1-47 and Lots 200-202 being a subdivision of Lot 15 DP 46427 and Pt Lot 15 DP 12002	Surveyor: Dwayne Simon Reiher Firm: Cato Bolam Consultants Ltd (Auckland)	Title Plan LT 632185 DRAFT
Digitally Generated Plan Generated on: 03/07/2026 2:36pm Page 7 of 8			



Diag. D



Diag. E

