



Office Use Only
Application Number:

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

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

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

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

1. Pre-Lodgement Meeting

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

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

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

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

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

Yes/No

4. Applicant Details:

Name/s: WAIAWA BAY FARM LIMITED

Electronic Address for Service (E-mail):
Phone Numbers:
Postal Address:
(or alternative method of service under section 352 of the Act)

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

Name/s: Steve Tuck

Electronic Address for Service (E-mail):
Phone Numbers:
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: WAIAWA BAY FARM LIMITED

Property Address/
Location: 139 TERENE TABLELANDS ROAD
MATAUREI BAY

7. Application Site Details:

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

Site Address/
Location: 139 TERENE TABLELANDS ROAD
MATAUREI BAY

Legal Description: LOT 4 DP 50234 Val Number: _____

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

Site Visit Requirements:

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

Is there a dog on the property? Yes / No

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

Contact Agent to arrange if required.

8. Description of the Proposal:

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

12-month extension to current consent lapse date of 11/22/2024.
See written request, re: consent 2180183 - RMA SUB

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

9. Would you like to request Public Notification Yes / No

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

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

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

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

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) yes no don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). yes no don't know

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

12. Assessment of Environmental Effects:

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

Please attach your AEE to this application.

13. Billing Details:

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

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

AMY TAPPER

Email:

Postal Address:

Phone Numbers:

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

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

Name: Steve Teck (please print)

Signature:  (signature of bill payer – mandatory) Date: 20/8/2024

14. Important Information:

Note to applicant

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

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

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

Fast-track application

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

Privacy Information:

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

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

Name: Steve Tuck (please print)

Signature:  (signature)

Date: 20/8/2020

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

Checklist (please tick if information is provided)

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

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

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

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

20 August 2024

Resource Consents Manager
Far North District Council

By email: Planning.Support@fndc.govt.nz

RE: Extension to lapse date - subdivision consent 2180183-RMASUB

Dear Sir / Madam,

Waiaua Bay Farm Limited (WBFL) holds subdivision consent 2180183-RMASUB (the consent).

Pursuant to section 125(1A)(b) of the Resource Management Act 1991 (RMA), WBFL applies for the grant of an extension to the consent's current lapse date of 11 December 2024. The extension sought is a period of twelve (12) months, being a new lapse date of 11 December 2025.

If granted, this would be the second extension of time, following a two-year extension granted in 2022 (Council reference 2230100-RMZEXT/A).

Section 125(1A) RMA is as follows:

(1A) However, a consent does not lapse under subsection (1) if, before the consent lapses,—

(a) the consent is given effect to; or

(b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account—

(i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and

(ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and

(iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

The following observations apply to the matters that the consent authority must take into account under section 125(1A)(b).

- **Substantial progress or effort towards giving effect to the consent.**

Substantial progress has been made towards giving effect to the consent. Road, drainage, electricity and telecommunication services/infrastructure has been completed. Civil construction works are complete. The ecological restoration / enhancement measures required by condition 3(e) of the consent are well progressed.

- **Approval from persons who may be adversely affected**

The consent was originally granted in 2017 on a non-notified basis.

The Council's decision report records at paragraph 1 that "*...the adverse environmental effects associated with the proposed activity are less than minor and that there are no affected persons or affected customary rights groups or customary marine title group*".

The Council's assessment of the extension application in 2022 (ref. 2230100-RMZEXT/A) observed that "*The original consent and subsequent variations were issued under delegated authority with no affected persons identified. It is also considered that the granting of an extension will [not] give rise to any effects on previously unidentified persons*".

The same circumstances are considered to apply today. The grant of a 1-year extension will not introduce new environmental effects. The receiving environment has not changed. The ownership and use of all adjoining and adjacent land to Kauri Cliffs is unchanged since 2022. No persons who may be affected by the grant of a short extension of time have been identified.

- **The effect of the extension on the policies and objectives of any plan or proposed plan**

The subdivision is within the Kauri Cliffs Special Purpose Zone. WBFL owns all of the land within this zone. The policies and objectives of the subdivision and zone chapters of the operative Far North District Plan (Operative Plan) are the same as applied when the consent, and the first extension of time, were granted.

The policies and objectives of the Kauri Cliffs Special Purpose Zone specified in the Proposed Far North District Plan (Proposed Plan) remain similar or identical to those of the Operative Plan. Therefore, the grant of an extension of time does not offend the Proposed Plan.

Zoning considerations

Condition 3(f) of the consent requires consent notices to be registered against the titles of all land in the Golf Living sub-zone at Kauri Cliffs. WBFL's submission on the Proposed Plan seeks to reconfigure the extent of the Golf Living sub-zone.

If WBFL's proposed zone configuration is accepted, the land that consent notices are to be registered to will change. It would be more efficient for these dealings that the final extent of the Golf Living sub-zone is certain before the required consent notices are registered.

If consent notices are registered based on the current extent of the Golf Living sub-zone, and the zoning changes, formal processes would need to be undertaken to (a) remove consent notices from land no longer in the Golf Living sub-zone, and (b) to register new consent notices against the titles of that is newly included in the Golf Living sub-zone. This would be inefficient for all parties involved.

WBFL's requested extension to the lapse date will provide adequate time for the Proposed Plan hearings process and any appeals to be settled and the final zoning configuration confirmed, before the date on which a survey plan must be deposited under RMA section 224. This will ensure that the consent notice process required by condition 3(f) of the consent can be done once, and avoids any risk that consent notices will need to be lifted and rearranged after decisions on the Proposed Plan.

Given the considerations above, it is considered that the grant of an extension to the lapse date is appropriate. Substantial progress has been made towards giving effect to the consent. No parties would be adversely affected by the extension sought. The approval of an extension will not conflict with the objectives and policies of the operative and proposed plans. An extension will ensure that the conditions of the consent can be complied with efficiently, and in accordance with the final zoning that emerges from decisions on the Proposed Plan.

Yours sincerely,



Steve Tuck

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