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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:

Bob Almond Family Trust

Electronic Address for Service (E-mail):

Phone Numbers:

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

Post Code:

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

Name/s:

Northland Planning and Development

Electronic Address for Service (E-mail):

Phone Numbers:

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

Post Code: 0441

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: Almond Trustees Ltd & RS Almond

Property Address/
Location: 87 State Highway 1, Awamu

7. Application Site Details:

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

Site Address/
Location: 87 State Highway 1, Awamu.

Legal Description: Part Lot 1 DP91522 Val Number: _____

Certificate of Title: NA75B/427

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.**

Please contact Bob prior to the site visit

8. Description of the Proposal:

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

Variation to RC 2220035

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)

Bob Almond Family Trust

Email:

Postal Address:

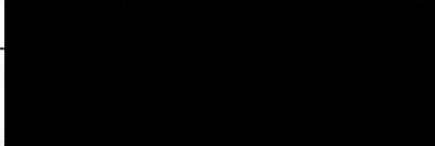
Phone Numbers:

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: ROBERT JOHN ALMOND (please print)

Signature:



(Signature of bill payer – mandatory)

Date: 10/06/24

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

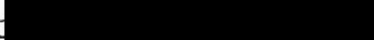
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track 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: ROBERTSON, ROBERT (please print)

Signature:  (signature)

Date: 10/06/24.

(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

**Variation of Consent Conditions
For 2230035-RMACOM
Bob Almond Family Trust
87 State Highway 1 Awanui**

Date: 5 July 2024

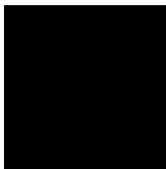
Please find attached:

- an application form to change consent conditions pursuant to Section 127 of the Resource Management Act;
- an Assessment of Environmental Effects in support of the change to Conditions 1, 4(b)(ii) and 4(c)(ii).

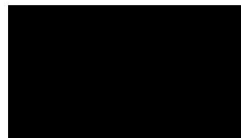
The application has been assessed as a **Discretionary Activity** under Section 127 of the Resource Management Act 1991.

Regards,

Reviewed by:



Alex Billot
Resource Planner



Sheryl Hansford
Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED



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1. FNDC Application Form
2. Record of Title – LINZ
3. Approved Decision RC2230035 - FNDC
4. Approved Plans RC2230035 – FNDC
5. Proposed Scheme Plan – Von Sturmers Surveyors
6. Correspondence - FNDC Team Leader
7. NZTA Approval Letter



Assessment of Environment Effects Report

1. Description of the Proposed Activity

- 1.1. The proposal is seeking an amendment to secure water supply for Lot 7 DP26373. A utility lot is proposed which will contain the three existing water tanks which service Lot 7 DP26373. As part of the previously approved consent under RC2230035, it was proposed that Lot 1 contain the existing water tanks and be amalgamated with adjoining Lot 7 DP26373. Lot 7 DP26373 is currently contained within a separate title. It is now proposed that a utilities lot is created to contain the water tanks (shown as Lot 6 on the new scheme plan), which will then be amalgamated with Lot 7 DP26373.

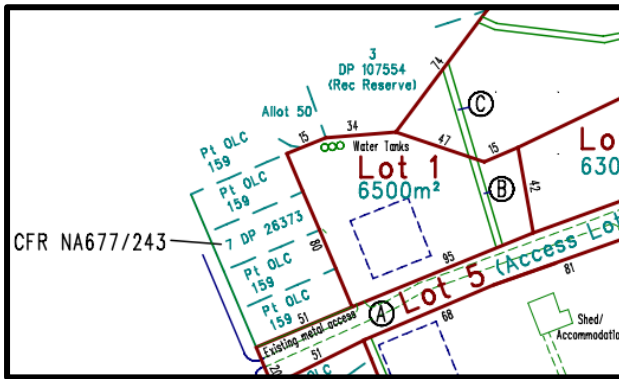


Figure 1: Previously approved plan under RC2230035 which had the water tanks contained within Proposed Lot 1, which was to be amalgamated with Lot 7 DP26373.

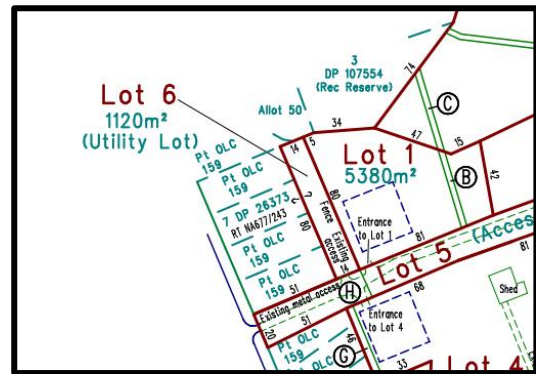


Figure 2: New proposed scheme plan showing a utilities lot (Proposed Lot 6) which will contain the water tanks and be amalgamated with Lot 7 DP26373.

- 1.2. As a result of the proposed change, Conditions 1, 4(b)(ii) and 4(c)(ii) of RC2230035 will need to be amended to reference the updated scheme plan as well as the updated approval letter from NZTA.
- 1.3. The proposal will not result in an increase in allotments, nor will it alter access arrangements. Lot 1 will slightly decrease in area from 6500m² to 5380m², however this still complies with the controlled threshold of 4000m² for the Rural Living Zone, as per RC2230035. It is noted that there is no minimum lot area for utility lots as per Rule 13.7.2.6 which will be discussed further in this report.
- 1.4. The proposal will not alter the activity status applied for under RC2230035 nor will it alter access arrangements to the lots. The proposal is therefore within the scope of a change to consent conditions pursuant to Section 127 of the Resource Management Act 1991.

2. Site Description

- 2.1. The subject site is zoned Rural Living and currently contains a residential dwelling associated farm sheds and water tanks with the majority of the site being in grazed pasture. The site is a large parcel of land that adjoins the Commercial and Residential zones to the west, Industrial, and Recreation zones to the north and Rural Production Zone to the east. The site is relatively



flat with the eastern boundary following a natural stormwater drain.

- 2.2. There are currently existing access points to the site via State Highway 1 and Warau Street. The access points themselves are sealed then continue with a gravel formation.
- 2.3. The surrounding environment consists of varying lot sizes which is reflective in the different zones that adjoin the subject site. The lots to the east range from 600m² to 1000m² and contain either residential dwellings or commercial buildings. The large rural block that adjoins the site to the east is 8ha in area and is accessed via State Highway 10. This site contains a dwelling, associated farm buildings with the majority of the site being grazed farmland. The Rural Living zone is an area of transition between town and country which the lot sizes within this proposal reflect.

3. Activity Status

- 3.1. The previous application (RC2230035) resulted in approval to subdivide the site to create three additional residential allotments plus one access lot as well land use consent for breaches of stormwater management under the Operative District Plan.
- 3.2. The proposal is to add a utilities lot which is to be amalgamated with Lot 7 DP26373. Within *Chapter 13 – Subdivision* of the ODP, Rule 13.7.2.6 *Access, utilities, roads and reserves* allows for the creation of lots for the purpose of access, utilities, roads or reserves which are not required to meet the minimum allotment areas in any zone. This rule also states that a consent notice may be registered on the Certificate of Title noting that in the event of the utility lot being removed, the lot be amalgamated with an adjoining lot unless it is a fully complying allotment for the respective zone. This is not considered necessary in this instance as the utilities lot will be amalgamated with Lot 7 DP26373 as part of this variation proposal.
- 3.3. The proposal will see the creation of one utility lot, which will remove land area from Proposed Lot 1. Proposed Lot 1 will remain a size which is compliant with the Controlled Activity Provisions for the Rural Living zone.
- 3.4. As such, the proposed variation will not change the activity status of what was previously assessed under RC2230035. Overall, the proposal was assessed as a **Controlled activity**, therefore, there will be no change in activity status as a result of the variation.

Section 127 of the RMA

- 3.5. The following section of the Resource Management Act (RMA) is relevant to the proposed change to consent condition.

127 Change or cancellation of consent condition on application by consent holder

(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:

(a) the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under



section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and

(b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.

(2) [Repealed]

(3) Sections 88 to 121 apply, with all necessary modifications, as if—

(a) the application were an application for a resource consent for a discretionary activity; and

(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

(3A) If the resource consent is a coastal permit authorising aquaculture activities to be undertaken in the coastal marine area, no aquaculture decision is required in respect of the application if the application is for a change or cancellation of a condition of the consent and does not relate to a condition that has been specified under section 186H(3) of the Fisheries Act 1996 as a condition that may not be changed or cancelled until the chief executive of the Ministry of Fisheries makes a further aquaculture decision.

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

(a) made a submission on the original application; and

(b) may be affected by the change or cancellation.

3.6. Consent is sought to change **the following conditions** of RC2230035.

- *Condition 1 - The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Von Sturmers, titled “Lots 1 – 5 being a Subdivision of Pt Lot 1 DP 91522”, dated 1 May 2023, referenced 14091, and attached to this consent with the Council’s “Approved” stamp affixed to it.*
- *Condition 4(b)(ii) -
b) The following amalgamation conditions:
ii. That Lot 1 hereon and Lot 7 DP 26373 (RT NA677/243) be held together in the same Record of Title.*
- *Condition 4(c)(ii) -
c) The consent holder shall submit plans and details of all works for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council’s Engineering Standards and Guidelines 2009 and NZS 4404:2010 to the approval of the Development Engineer or their delegated representative. The plans shall be in general accordance with the plans and reports submitted with the application. In particular, the plans shall show:
ii. Design details to comply with the relevant consent conditions in NZ Transport Agency’s written approval File Ref: Application 2023-1115 dated 18/10/2023.*

3.7. These conditions will be altered to reference the new proposed scheme plan, the new amalgamation condition and the updated NZTA approval letter.

3.8. The amendments to the conditions of consent is therefore a **Discretionary Activity** as per Section 127 of the RMA.



4. Variation to consent conditions

4.1. The variation will involve a change to Conditions 1, 4(b)(ii) and 4(c)(ii).

4.1.1. **Condition 1** states the following:

The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Von Sturmers, titled "Lots 1 – 5 being a Subdivision of Pt Lot 1 DP 91522", dated 1 May 2023, referenced 14091, and attached to this consent with the Council's "Approved" stamp affixed to it.

4.1.2. It is proposed to change this condition so that it refers to the new scheme plan. The proposed new condition is stated below, with changes shown in red:

The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Von Sturmers, titled "Lots 1 – 6 being a Subdivision of Pt Lot 1 DP 91522", dated 23 May 2024, referenced 14091, and attached to this consent with the Council's "Approved" stamp affixed to it.

4.1.3. **Condition 4(b)(ii)** states the following:

b) The following amalgamation conditions:

ii. That Lot 1 hereon and Lot 7 DP 26373 (RT NA677/243) be held together in the same Record of Title.

4.1.4. It is proposed to cancel this condition and replace with the new amalgamation condition. Lot 7 DP26373 will now be held in the same Record of Title as Lot 6 (utilities lot) rather than Lot 1. The proposed new amalgamation condition is as follows.

That Lot 6 hereon be transferred to the new owner of Lot 7 DP26373 (RT NA677/243) and that one Record of Title be issued to include both parcels.

4.1.5. **Condition 4(c)(ii)** states the following:

c) The consent holder shall submit plans and details of all works for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council's Engineering Standards and Guidelines 2009 and NZS 4404:2010 to the approval of the Development Engineer or their delegated representative. The plans shall be in general accordance with the plans and reports submitted with the application. In particular, the plans shall show:

ii. Design details to comply with the relevant consent conditions in NZ Transport Agency's written approval File Ref: Application 2023-1115 dated 18/10/2023.

4.1.6. It is proposed to change this condition to reflect the updated approval letter from NZTA. The proposed change is shown below, in red.

c) The consent holder shall submit plans and details of all works for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council's Engineering Standards and Guidelines 2009 and NZS 4404:2010 to the approval of the Development Engineer or their delegated representative. The plans shall be in general



accordance with the plans and reports submitted with the application. In particular, the plans shall show:

ii. Design details to comply with the relevant consent conditions in NZ Transport Agency's written approval File Ref: Application 2023-1115 dated 03/07/2024.

5. Assessment of Environmental Effects

- 5.1. For the purposes of this assessment, consideration of the effects of the proposal has been limited to the proposed change rather than re-visit the effects of the original application.
- 5.2. The proposal includes altering the scheme plan to create a utilities lot which will be amalgamated with adjoining Lot 7 DP26373. The Utility Lot will include an existing metalled accessway and three water tanks. The proposal will not increase the number of allotments created in the original subdivision. The proposal will not result in additional conditions needing to be imposed and will only change the references within two of the existing conditions and alter the previous amalgamation condition, due to the proposed new configuration.
- 5.3. The alternative concept is not considered to change the original assessment of the proposal and it is considered that the proposal can still achieve the intent of what was sought under the consent that was granted. The proposal is not considered to create any adverse effects nor exacerbate any natural hazards.
- 5.4. Overall, it is considered that the proposal will result in no more than minor environmental effects.

6. Statutory Assessment

Section 104B of the Act

- 6.1. Section 104B governs the determination of applications for Discretionary and Non-Complying Activities. With respect to both Discretionary and Non-Complying Activities, a consent authority may grant or refuse an application, and impose conditions under section 108.

Section 104(1)(a) of the Act

- 6.2. Section 104(1) of the Act states that when considering an application for resource consent –

“the consent authority must, subject to Part II, have regard to –

*(a) Any actual and potential effects on the environment for allowing the activity; and
(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*

(b) Any relevant provisions of –

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



(c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.'

- 6.3. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of the act). As assessed in Section 5 above, the proposal will have actual and potential effects that are acceptable.
- 6.4. Section 104(1)(ab) requires that the consent authority consider 'any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity'. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.
- 6.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in Section 7 below.
- 6.6. Section 104(1)(c) states that consideration must be given to 'any other matters that the consent authority considers relevant and reasonable, necessary to determine the application'. There are no other matters relevant to this application.

7. Policy Documents

- 7.1. Section 104(1)(b) requires that when considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to:

Any relevant provisions of –

- i. A national environmental standard;
- ii. Other regulations;
- iii. A national policy statement;
- iv. A New Zealand coastal policy statement;
- v. A regional policy statement or proposed regional policy statement;
- vi. A plan or proposed plan

- 7.2. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that activity may have on the environment has been provided below.

National Environmental Standards

- 7.3. There are no National Environmental Standards considered applicable to this application.

National Policy Statements

- 7.4. There are currently seven National Policy Statements in place. These are as follows:



- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity

National Policy Statement for Highly Productive Land

7.5. The NPS for HPL has one objective and 9 policies. These all relate to sites which are classified as having highly productive land. Highly Productive Land is defined as –

highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)

7.6. As this is a new NPS the Regional Policy Statement is yet to map highly productive land and as such in assessing this, we refer to clause 3.5(7).

3.5(7) - Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) Is

- zoned general rural or rural production; and*
- LUC 1, 2, or 3 land; but*

(b) Is not

- identified for future urban development; or*
- subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle*

7.7. The site does contain soils of LUC 2, however is currently zoned Rural Lifestyle and is proposed to be rezoned as rural-residential and therefore, it is considered that the NPS for HPL is not relevant to this proposal and no further assessment will be made.

Regional Policy Statement

7.8. The role of The Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.



- 7.9. An assessment of the development in terms of the relevant objectives and policies of the RPS was undertaken as part of RC2230035, where it was found that the proposal was consistent with the intent of the RPS and contained adequate mitigation measures to ensure the effects of natural hazards were mitigated to a less than minor degree. It is considered that the proposal will not alter what was previously stated within RC2230035 and the proposal will not increase nor exacerbate any natural hazards. As such, it is considered the proposal is compatible with the intent of the RPS.

Far North District Plan

- 7.10. A full assessment of the relevant objectives and policies within the Operative District Plan were undertaken as part of RC2230035. As the proposal will not alter the number of lots nor the access, it is considered that the statements made within the recent application are relevant to this proposal and will not change as a result of the variation.

Proposed District Plan

- 7.11. As was concluded within the s95 report for RC2230035, the proposal was found to be consistent with the relevant objectives and policies of the PDP. It is considered that the statements made within RC2230035 are relevant to this proposal and will not change as a result of the variation.

Summary

- 7.12. The assessment above demonstrates that the proposal will be consistent with the relevant objectives and policies and assessment criteria of the relevant statutory documents. There have been no changes in the relevant policies or legislation applicable to this development that would create differing outcomes to what was approved within RC2230035. On that basis, it is considered that the proposal is consistent with the statements made within RC2230035.

8. Consideration of potentially affected parties

- 8.1. Sections 95D and 95E (shown below) detail the requirement of consideration of likely effects on any person or party by the consenting authority to determine if a person is considered to be an “affected” by the proposed activity.

95D Consent authority decides if adverse effects likely to be more than minor

A consent authority that is deciding, for the purpose of section 95A(2)(a), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—

(a) must disregard any effects on persons who own or occupy—

(i) the land in, on, or over which the activity will occur; or

(ii) any land adjacent to that land; and

(b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and

(c) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and

(d) must disregard trade competition and the effects of trade competition; and

(e) must disregard any effect on a person who has given written approval to the relevant application.



- 8.2. The proposal includes an assessment of the effects, that demonstrates that the actual and potential adverse effects of the proposal are no more than minor on the environment.

95E Consent authority decides if person is affected person

(1) A consent authority must decide that a person is an affected person, in relation to an activity, if the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

(2) The consent authority, in making its decision, —

(a) may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and

(b) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

(3) Despite anything else in this section, the consent authority must decide that a person is not an affected person if—

(a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons; or

(b) it is unreasonable in the circumstances to seek the person's written approval.

The application must be limited notified to the relevant persons if the following are determined, as specified by section 95B(2) and (3):

(2) (a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) (a) whether the proposed activity is 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](#); and

(b) whether the person to whom the statutory acknowledgement is made is an affected person under [section 95E](#).

- 8.3. There are no rules or NES that permit the activity. The proposal is not for a controlled or restricted discretionary activity. There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application as per the assessment undertaken within RC2230035.

- 8.4. Other affected persons must be notified in the following circumstances specified by section 95B(7) and (8):

(7) Determine whether, in accordance with section 95E, the following persons are affected persons:

(a) in the case of a boundary activity, an owner of an allotment with an infringed boundary; and

(b) in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.



(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

8.5. The proposal is not for a boundary activity nor is it a prescribed activity.

*In deciding who is an affected person under section 95E, a council under section 95E(2):
(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—
(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and
(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

8.6. A council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.

8.7. With respect to section 95B(8) and section 95E, the effects of the proposal was considered as part of the assessment of environmental effects undertaken in Section 5 of this report, which found that the potential adverse effects on the environment will be less than minor. In regard to effects on persons, the assessment in Sections 5, 6 & 7 are also relied on and the following comments made:

- NZTA have provided their written approval to the proposal.
- The proposed changes are not considered to be contrary to the objectives and policies under the District Plan or the Proposed District Plan.
- The proposed changes are not contrary to the Northland Regional Policy Statement.
- The variation can still achieve the intent of the original consent.
- The proposal will result in a better outcome for access with reduced physical works to be carried out on the site.
- The proposal will not result in any adverse effects on adjoining sites.

8.8. Taking into account the intent of the original consent and the consent conditions that are in place to mitigate the various effects; it is considered that no other persons or parties are considered to be actually or potentially affected by the proposal. Overall, the adverse effects on any persons are considered to be less than minor.

9. Conclusion

9.1. The proposed variation is considered suitable in the context of the site and surrounding environment. The change to the relevant conditions will still achieve the intent of the original land use.

9.2. No significant adverse effects are anticipated to arise from the activity included in the application and no consideration of alternatives has been undertaken. All effects of the activity are considered to be managed within the property boundaries. Overall, it is considered that the proposal will result in no more than minor effects on the environment.



- 9.3. Written approval has been provided from NZTA with no other approvals sought from any other parties, given that the proposal is not considered to adversely affect adjacent property owners/occupiers.
- 9.4. As a Discretionary Activity, the application has been assessed under the matters specified under Section 127 of the Resource Management Act 1991. It is considered that that the proposal results in no more than minor effects on the environment, and that the activity is generally consistent with the relevant objectives and policies of the Operative District Plan and the Proposed District Plan. In accordance with sections 104 and 104B of the Act, it is considered that the variation should be granted on a non-notified basis.

10. LIMITATIONS

- 10.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 10.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 10.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 10.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier NA75B/427
Land Registration District North Auckland
Date Issued 17 August 1989

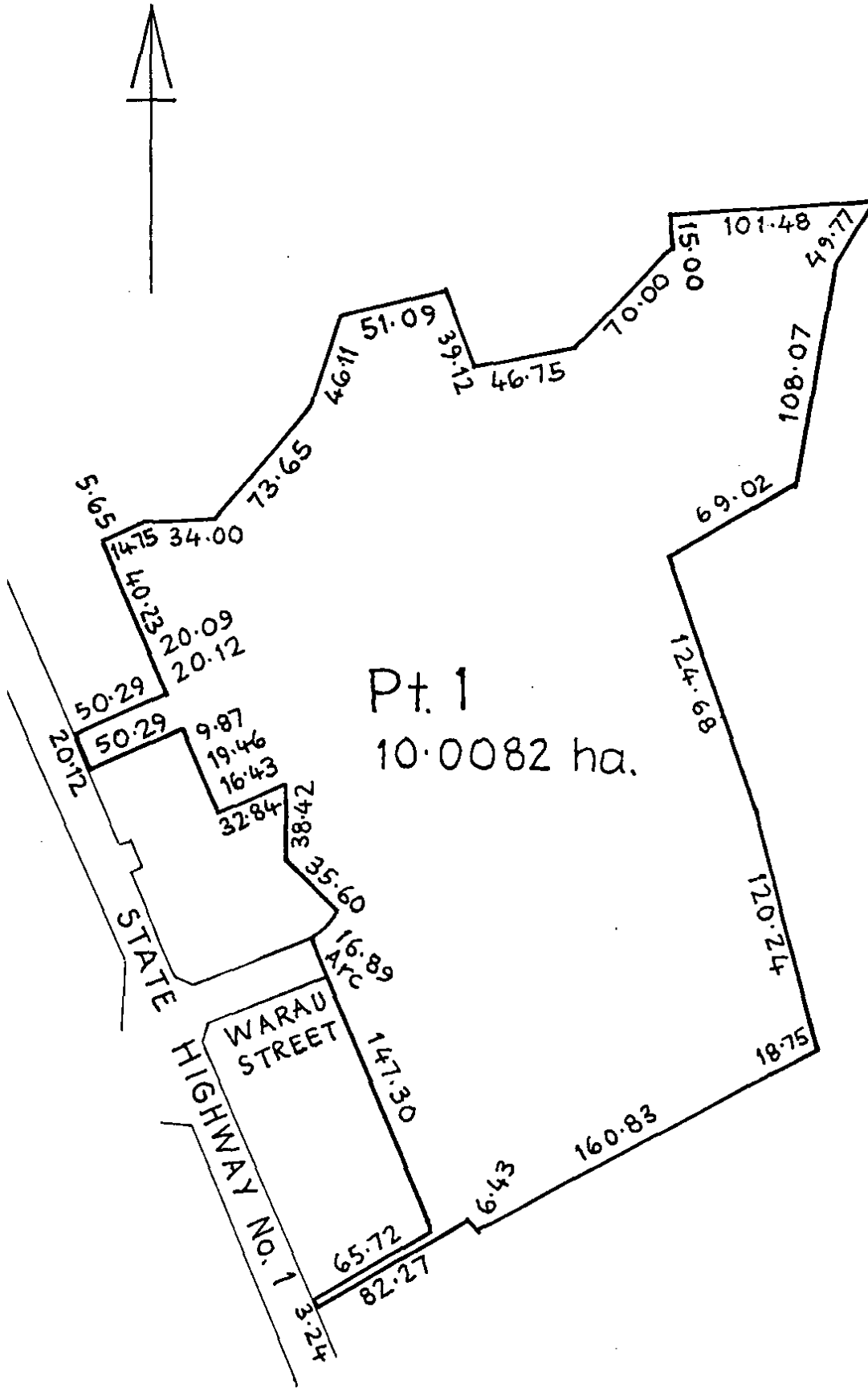
Prior References
NA61A/976

Estate Fee Simple
Area 10.0082 hectares more or less
Legal Description Part Lot 1 Deposited Plan 91522

Registered Owners
Robert John Almond and Almond Trustees Limited

Interests

Subject to Section 59 Land Act 1948 (affects part formerly part Allotment 49 Parish of Awanui)
11172333.4 Mortgage to Westpac New Zealand Limited - 12.11.2018 at 3:59 pm



**DECISION ON COMBINED SUBDIVISION AND LANDUSE APPLICATION
UNDER THE RESOURCE MANAGEMENT ACT 1991**

Decision

Pursuant to section 34(1) and sections 104, 104A and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision and land use resource consent for a Controlled Activity, subject to the conditions listed below to:

Council Reference:	2230035-RMACOM
Applicant:	Bob Almond Family Trust
Property Address:	87 State Highway 1, Awanui
Legal Description:	Pt Lot 1 DP 91522
Description of Application:	<p><u>Activity A – Subdivision:</u> proposal to create three additional residential allotments, plus one access lot.</p> <p><u>Activity B – Land-use:</u> for breaches in the following rules:</p> <ul style="list-style-type: none">• 8.7.5.1.5 Stormwater Management

Conditions

Decision A – Subdivision:

1. The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Von Sturmers, titled “*Lots 1 – 5 being a Subdivision of Pt Lot 1 DP 91522*”, dated 1 May 2023, referenced 14091, and attached to this consent with the Council’s “Approved” stamp affixed to it.
2. The activity shall be undertaken in general accordance with the Site Suitability Report prepared by Haigh Workman, titled “*Site Suitability Report for Proposed Subdivision 87 State Highway 1, Awanui Pt Lot 1 DP 91522 for Bob Almond Family Trust*”, referenced 19 230 Rev B and dated 27 November 2023.
3. The activity shall be undertaken in general accordance with the Cultural Impact Assessment prepared by Ngāi Tohianga Kaitiaki, titled “*A Ngai Tohianga Impact Assessment Report for the Proposed Almond Subdivision, Awanui*” and dated 4 September 2019.
4. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a) The survey plan shall show all necessary easements as required for right of way access, pedestrian access, right to telecommunications, computer media, electricity, secondary/OLFP channels, right to drain water and ongoing maintenance and operations for Council held stormwater and wastewater infrastructure. Easements in gross shall be granted for all the

existing and new wastewater infrastructure to vest in Council. Easements shall include access requirements for ongoing maintenance and operations of the wastewater infrastructure.

b) The following amalgamation conditions:

- i. That Lot 5 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 1 – 4 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.
- ii. That Lot 1 hereon and Lot 7 DP 26373 (RT NA677/243) be held together in the same Record of Title.

c) The consent holder shall submit plans and details of all works for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council's Engineering Standards and Guidelines 2009 and NZS 4404:2010 to the approval of the Development Engineer or their delegated representative. The plans shall be in general accordance with the plans and reports submitted with the application. In particular, the plans shall show:

- i. Subject to Condition 5(e) below, the consent holder shall submit plans and details, for the prior approval of Council, showing wastewater connection details to Council's wastewater reticulation network to the boundary of each new lot.
- ii. Design details to comply with the relevant consent conditions in NZ Transport Agency's written approval File Ref: Application 2023-1115 dated 18/10/2023.
- iii. Design details of the construction of the proposed shared private accessway within Lot 5 to be constructed as per Drawing DE1 from the engineering report titled *Site Suitability Report for Proposed Subdivision 87 State Highway 1, Awanui Pt Lot 1 DP 91522 for Bob Almond Family Trust*, referenced 19 230 Rev B and dated 27 November 2023, Council Engineering Standard FNDC/S/7 and District Plan Appendix 3B-1.

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

Riparian Planting

- a) The consent holder shall undertake planting alongside the stream where it adjoins the Lot 3 boundary in accordance with the riparian management standards outlined in Dairy NZ Farmer DNZ40-064 Version 1 December 2014. A planting plan shall be prepared by a suitably qualified and experienced person and submitted to Council for prior approval before undertaking the planting.

Utilities

- b) Provide written confirmation from power and telecommunications utility service operators that their consent conditions for this development have been satisfied in accordance with the Engineering Standards, District Plan requirements and any other requirements that apply at the time, to the satisfaction of FNDC's Development Engineer or delegated authority.

Easements

- c) Provide to Council written confirmation from a Licenced Cadastral surveyor that the formed access lot carriageway and any other services are fully contained within the proposed easement boundaries.

Engineering Works

- d) Provide correspondence from the NZ Transport Agency confirming that works in the State Highway, and within the site comprising the sealing of the access way for 10m from the kerbline, has been constructed to the NZ Transport Agency standards.
- e) Alternatively to Condition 4c(i) above, the Development Engineer recommends that onsite wastewater disposal shall also be a consideration. If the option of onsite wastewater disposal is adopted, the consent holder shall to the approval of Council's Development Engineer and Resource Consents Engineer, provide a TP58 Report prepared by a suitably qualified Chartered Professional Engineer demonstrating that each relevant lot is able to accommodate such system in accordance with Council's Engineering Standards and Guidelines 2009 and NZS 4404:2010.
- f) Subject to Conditions 4c(i) and 5(e) above, and if the consent holder opts to connect to Council's reticulated sewer system, provide evidence that the existing individual boundary kit is suitable for use and fit for its intended purposes. If it is determined that the current kit is not appropriate, a new individual boundary kit will need to be provided and installed at the boundary of the proposed new lot(s) in accordance with the Council's Engineering Standards and Guidelines.
- g) The consent holder shall upon completion of the construction works as specified in condition 4(c) above provide certification to Council's Development Engineer or designate, certificates of completion/ construction (PS3) provided from the construction contractors that all work has been completed in accordance with Council's Engineering Standards. If works are to be staged the certification must clearly define what stage of works, the sign-off relates to.
- h) The consent holder shall upon completion of the construction works as specified in condition 4(c) above, provide certification to Council's Development Engineer or designate a construction review certificate (PS4) produced from a chartered professional engineer that all work has been completed in accordance with the approved plans. If works are to be staged the certification must clearly define what stage of works, the sign-off relates to.
- i) No construction works are to commence on site until engineering plans required by condition 4(c) have been approved and all associated plan inspection fees have been paid. Note: A copy of the approved engineering plans and consent conditions are to be kept on site at all times.
- j) The consent holder is responsible for arranging for buried services to be located and marked prior to commencing works and is also responsible for the repair and reinstatement of any underground services damaged as a result of any works on site.
- k) The Consent Holder shall reinstate the Council's footpath, road carriageway formation, stormwater kerb and channel, street berm, urban services and buried services/infrastructure damaged by the works associated with the subdivision works in accordance with Council's Engineering Standards at the expense of the Consent Holder to the satisfaction of the Council's Engineer, or their delegated representative.

Consent Notices

- l) 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 Applicant:

Flood Hazard and Secondary/OLFP Flows

- i. All habitable buildings of Importance level 2 and greater structures (as defined in AS/NZS 1170) are to be located outside the 10% and 1% AEP floodplain area or require foundations specifically designed by a Chartered Professional Engineer recommending foundation requirements and finished floor levels with the required freeboard above, a 10% and 1% AEP Flood event, and the 1% AEP coastal flood event plus sea level rise. **[Lots 1 to 4]**
- ii. In conjunction with an application for a building consent, overland/secondary flowpaths capable of accommodating the 1% AEP storm event (including existing downstream flowpaths of the proposed development) are to be provided. Designs of the flowpaths are to be prepared by a Chartered Professional Engineer and submitted for Council approval. Diversion or filling in of existing overland flowpaths shall not cause or worsen flooding effects on downstream or upstream properties. **[Lots 1 to 4]**

Firefighting Water Supply

- iii. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with a sufficient supply for firefighting purposes is to be provided by way of tank or other approved means compliant with the NZ Fire Fighting Water Supply Code of Practice SNZ PAS 4509. **[Lots 1 to 4]**

Stormwater Management

- i. All future development within this lot shall be undertaken in accordance with the Site Suitability Report prepared by Haigh Workman, titled *Site Suitability Report for Proposed Subdivision 87 State Highway 1, Awanui Pt Lot 1 DP 91522 for Bob Almond Family Trust*, referenced 19 230 Rev B and dated 27 November 2023. If impermeable surfaces within this lot shall exceed 20% of the total site area (including the ¼ share in Lot 5), further Council approval will be required. **[Lots 1, 2, 3 and 4]**

Wastewater

- ii. In conjunction with an application for a building consent, an application to connect the new dwelling to the sewer scheme shall be submitted to Council for approval. The Lot owner shall install a macerating pump, service line in accordance with Council specifications. Installation of new wastewater assets shall be undertaken by Council's operations contractor. **[Lots 1, 3 and 4]**
- iii. Alternatively, the Development Engineer recommends that onsite wastewater disposal shall also be a consideration and shall be undertaken in accordance with the relevant approved TP58 report required by Condition 5(e) of RC 2230035-RMACOM. **[Lots 1, 3 and 4]**

Archaeological Sites

- iv. All future development shall be undertaken in general accordance with the archaeological report prepared by Northern Archaeological Research (NAR), titled *'Archaeological Survey and Assessment of a Proposed Subdivision at (Pt Lot 1 DP 91522) 5 State Highway 1, Awanui, Far North'*, and dated November 2018. In particular (but not limited to):
 - Those areas specified in Condition 3(b) above shall be protected by way of Heritage Covenant on an ongoing basis.

- In addition, any stock grazed within the Heritage Covenant area shall be limited to sheep or (limited stock units of) yearling cattle only and not run over archaeological site O04/489 in winter.
- Any earthworks undertaken in the southern portion of Lot 3 (including earthworks for utilities and services) will require an application for an Authority to Modify an archaeological site under s44(a) of the Heritage NZ Pouhere Taonga Act 2014.
- All development within Lots 1, 3 and 4 shall be undertaken in accordance with the HNZPT Accidental Discovery Protocol (ADP).

[Lots 1, 3 and 4]

Cultural Impact

- v. All future development shall be undertaken in general accordance with the Cultural Impact Assessment prepared by Ngāi Tohianga Kaitiaki, titled “*A Ngai Tohianga Impact Assessment Report for the Proposed Almond Subdivision, Awanui*” and dated 4 September 2019. **[All Lots]**

Decision B – Land-Use:

6. The activity shall be carried out in accordance with the Site Suitability Report prepared by Haigh Workman, titled “*Site Suitability Report for Proposed Subdivision 87 State Highway 1, Awanui Pt Lot 1 DP 91522 for Bob Almond Family Trust*”, referenced 19 230 Rev B and dated 27 November 2023.

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) The consent is given effect to; 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.

Vehicle Crossing Upgrades/Construction

4. *The consent holder when conducting the construction/upgrade of the vehicle crossings in or close to the public road reserve shall submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) from Council prior to any excavation or works commencing.*

Earthworks

5. *Erosion and sediment control measures shall be constructed and maintained in accordance with the principles and practices contained within the Auckland Council document entitled "GD05: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region" (GD05)*

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 Controlled Activity Resource Consent and as such under section 104 the Council can consider only those matters of control. In particular, the matters listed in Section 9 of the attached s95 recommendation are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable for those reasons outlined in Section 9 of the attached s95 recommendation. The proposal will result in positive effects including the social well-being of the applicants, and the efficient use of a vacant site in a manner which does not adversely affect the environment.
4. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. Northland Regional Policy Statement 2016,
 - b. Operative Far North District Plan 2009,
 - c. Proposed Far North District Plan 2022
 - d. NES Contaminated Soils 2011
 - e. NPS Highly Productive Land 2022

The activity is consistent with these documents for the reasons set out in Section 6.0 of the Assessment of Environmental Effects submitted with the application.

Operative Far North District Plan

For those reasons outlined in Section 5.0 of the Assessment of Environmental Effects submitted with the application, the activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan.

Proposed Far North District Plan

As concluded in the s95 recommendation, the proposal does not require resource consent under the proposed District Plan. On this basis, it is considered that the proposed activity is consistent with the relevant objectives, policies and assessment criteria of the Proposed District Plan.

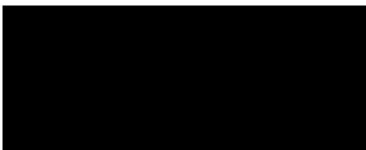
For this resource consent application the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

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

5. In regard to section 104(1)(c) of the Act there are no other matters relevant to the application.
6. Based on the assessment above the activity will be consistent with Part 2 of the Act.
7. 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 Nina Pivac (Consultant Planner - Tohu Consulting). 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: William (Bill) Smith

Date: 12 February 2024

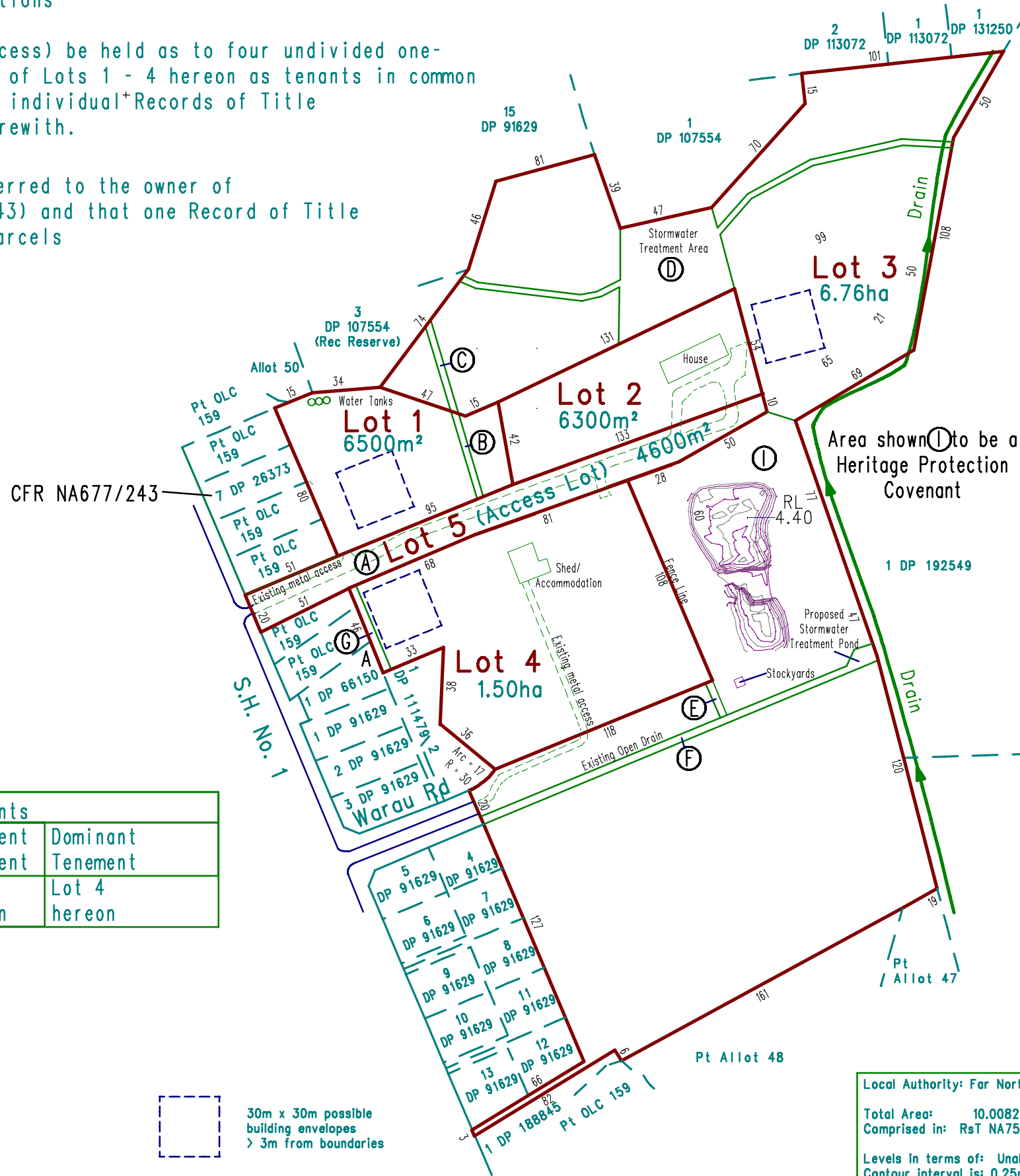
Title: Independent Hearings Commissioner

Proposed Amalgamation Conditions

That Lot 5 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 1 - 4 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.

That Lot 1 hereon be transferred to the owner of Lot 7 DP 26373 (CFR NA677/243) and that one Record of Title be issued to include both parcels

APPROVED PLAN
 Planner: Trish Routley
 pp: ERamsay
 RC: 2230035-RMASUB
 Date: 04/03/2024



Schedule of Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Right to Convey Electricity	A	Lot 5 hereon	Top Energy Ltd
Right to Convey Telecommunications	A	Lot 5 hereon	Chorus NZ Ltd
Right to Drain Water	A	Lot 5 hereon	Far North District Council
	B	Lot 1 hereon	
	C D F	Lot 3 hereon	
	G	Lot 5 hereon	
Pedestrian Access	A	Lot 5 hereon	Maungataniwha ki Rangaunu Trust Te Runanga a iwi o Ngati Kahu Te Runanga o Ngai Takoto

Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Drain Water	E	Lot 3 hereon	Lot 4 hereon

30m x 30m possible building envelopes > 3m from boundaries

Local Authority: Far North District Council
 Total Area: 10.0082ha
 Comprised in: RST NA75B/427
 Levels in terms of: Unahi Datum
 Contour interval is: 0.25m

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF VON STURMERS AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF SURVEYING & PLANNING SOLUTIONS

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

Prepared for Bob Almond Family Trust



VON STURMERS
 Registered Land Surveyors, Planners & Land Development Consultants
 Ph: (09) 408 6000 131 Commerce St
 P.O. Box 128 Kaitia
 Email: kaitia@surveyandplanning.co.nz

Lots 1 - 5 being a Subdivision of Pt Lot 1 DP 91522

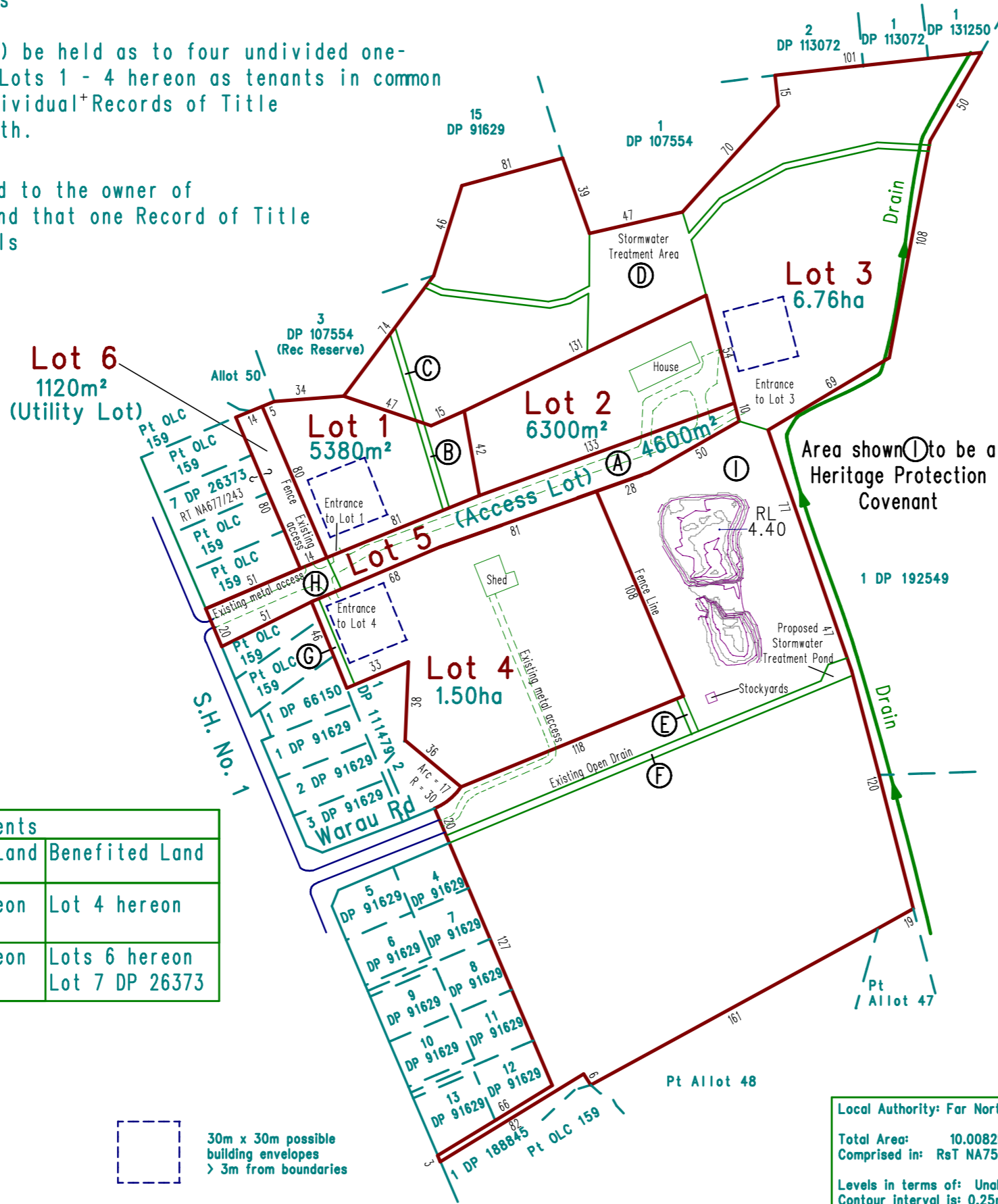
Survey	Name	Date	ORIGINAL SCALE	SHEET SIZE
Design	BK	01/18		
Drawn				
Rev	5	1-5-23		

Surveyors Ref. No:
14091
 Sheet 1 of 1

Proposed Amalgamation Conditions

That Lot 5 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 1 - 4 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.

That Lot 6 hereon be transferred to the owner of Lot 7 DP 26373 (RT NA677/243) and that one Record of Title be issued to include both parcels



Schedule of Easements in Gross			
Purpose	Shown	Burdened Land	Grantee
Right to Convey Electricity & Telecommunications	A H	Lot 5 hereon	Top Energy Ltd
Right to Convey Telecommunications	A H	Lot 5 hereon	Chorus NZ Ltd
Right to Drain Water	A	Lot 5 hereon	Far North District Council
	H	Lot 1 hereon	
	B	Lot 3 hereon	
	C D F G	Lot 5 hereon	
Right of Way (Pedestrian)	A H	Lot 5 hereon	Maungataniwha ki Rangaunu Trust Te Runanga a iwi o Ngati Kahu Te Runanga o Ngai Takoto

Memorandum of Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to Drain Water	E	Lot 3 hereon	Lot 4 hereon
Right of Way	H	Lot 5 hereon	Lots 6 hereon Lot 7 DP 26373

30m x 30m possible building envelopes > 3m from boundaries

Local Authority: Far North District Council
 Total Area: 10.0082ha
 Comprised in: RSt NA75B/427
 Levels in terms of: Unahi Datum
 Contour Interval is: 0.25m

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Prepared for Bob Almond Family Trust



VON STURMERS

Registered Land Surveyors, Planners & Land Development Consultants

Ph: (09) 408 6000 131 Commerce St
 P.O. Box 128 Kaitia
 Email: kaitia@surveyandplanning.co.nz

Lots 1 - 6 being a Subdivision of Pt Lot 1 DP 91522

Survey	Name	Date	ORIGINAL SCALE	SHEET SIZE
Design	BK	01/18		
Drawn				
Rev	7	23-5-24		

Surveyors Ref. No:

14091

Sheet 1 of 1

Northland Planning Development

From: Whitney [REDACTED]
Sent: Wednesday, 8 May 2024 8:14 am
To: Northland Planning Development
Subject: RE: 2230035-RMACOM, 87 State Highway 1, Awanui 0486

Morning,

As long as the proposal meets the scope of s127, and the additional lot doesn't change the activity status. Should be ok to lodged as a variation.



Whitney Peat

Team Leader - Resource Consents

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029
fndc.govt.nz



From: Northland Planning Developme [REDACTED]
Sent: Tuesday, May 7, 2024 1:35 PM
To: Whitney Peat [REDACTED]
Subject: FW: 2230035-RMACOM, 87 State Highway 1, Awanui 0486

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Whitney,

Are you able to help with providing advise in regard to Council accepting a variation to alter the plan to include the utilities lot (which results in Lot 1 being a separate title) and to also stage the development. Nina can give you a brief rundown as the processing planner and please ring me if you need to.

Regards,



Sheryl Hansford
Director / Senior Planner

[REDACTED]
Northland Planning & Development 2020 Limited

[REDACTED]

Subject: Re: 2230035-RMACOM, 87 State Highway 1, Awanui 0486

Hi Sheryl,

Sorry I am unable to answer this for you. Would recommend getting in touch with council team leaders.

Ngā Mihi,
Nina Pivac
Tohu Consulting

[REDACTED]

F [REDACTED]
S [REDACTED]
T [REDACTED]

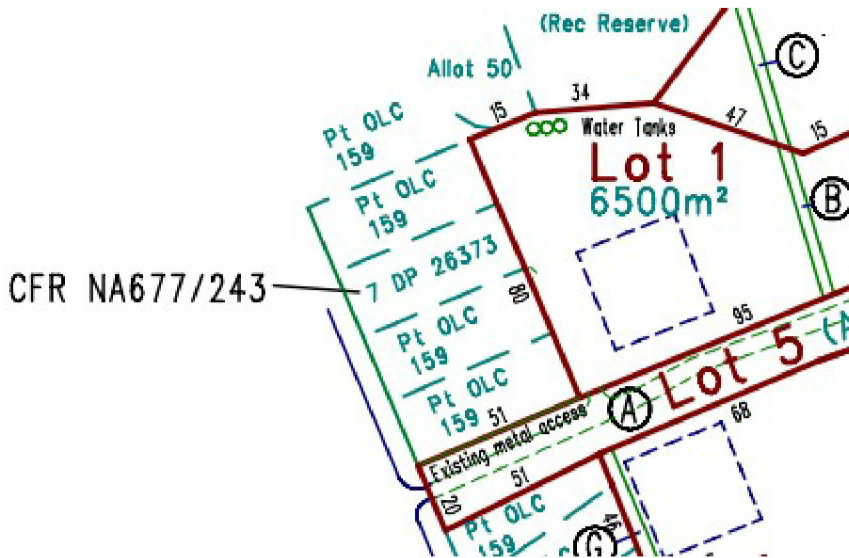
Subject: FW: 2230035-RMACOM, 87 State Highway 1, Awanui 0486

Hi Nina,
I am hoping you remember the above consent as the processing planner for council.

We have received the approval however Bob has realised that when altering the proposal from the 10 lot subdivision to a 4 lot subdivision that the utilities lot that was previously amalgamated with Lot 7 DP 28373 was not included.

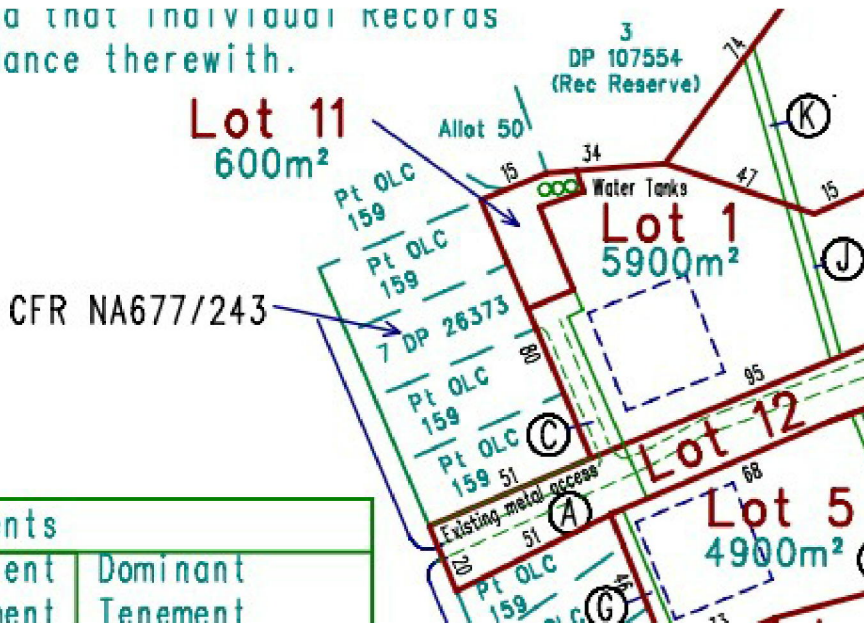
Do you think Council would accept a variation to alter the plan to include the utilities lot (which results in Lot 1 being a separate title) and to also stage the development?

This is what is currently approved:



Below is the original plan which provided for a utilities lot and row. It is proposed to just have the utilities lot that will also include the rear access to Lot 7 DP 26373.

Plans and other individual records in accordance therewith.



List of Easements		
n	Servient Tenement	Dominant Tenement

If you are unable to answer on behalf of Council please let me know and I will send this onto the Team Leaders.

Regards,



Sheryl Hansford
Director / Senior Planner



Northland Planning & Development 2020 Limited

From: Planning Technicians <Planning_Technicians@fndc.govt.nz>
Sent: Monday, March 4, 2024 3:38 PM
To: Northland Planning Development <info@northplanner.co.nz>
Subject: 2230035-RMACOM, 87 State Highway 1, Awanui 0486

Tēnā koe,

I am pleased to inform you that your application has been approved.

Please find attached the decision and stamp approved plan.

If you have any queries regarding this matter please do not hesitate to get in contact.

Ngā mihi nui,



Eden Ramsay

Planning Assistant Technician - Resource Consents Team 1

Te Kau

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029
fndc.govt.nz





Level 5 AON Centre
29 Custom St West
Private Bag 106602
Auckland 1143
New Zealand
T 0800 699 000
www.nzta.govt.nz

NZ Transport Agency Reference: Application-2023-1115

03/07/2024

Almond Family Trust/Survey & Planning Solutions (2010) Ltd

Sent via: king@saps.co.nz

Dear Brett

Proposed 6 lot subdivision – 87 SH1, Awanui – Almond Family Trust – Variation to include utilities lot

Thank you for your request for amended written approval from Waka Kotahi New Zealand Transport Agency (Waka Kotahi). Your proposal has been considered as follows:

Proposal

Resource consent is sought for a 6-lot subdivision with lot 5 being an access lot and lot 6 being a utilities lot (maintaining existing services and ROW access via lot 5 to existing lot 7 DP 7 DP26373). The subdivision provides for direct access to State Highway 1 in the urban section of Awanui and is not within a Limited Access section of the highway.

Assessment

In assessing the proposed activity, Waka Kotahi notes the following:

- Waka Kotahi gave approval in 2019 to a 14 - lot subdivision. This was provided subject to sealing of the northern access (same northern access to be used in this application also).
- Waka Kotahi safety and network engineers are comfortable with the reduced 4 lot plus one access lot proposal subject to sealing of the accessway for a distance within the site to prevent loose roading material being tracked onto the carriageway of the State Highway.
- Waka Kotahi have accepted the offer from the applicant to seal the access for a distance of 10m from the kerb line.

Conditions

In discussion with Waka Kotahi your client has agreed to include the following conditions as part of your client's resource consent application. The legal name of Waka Kotahi is the New Zealand Transport Agency; therefore, our full legal name is referred to in the conditions and approval.

1. The proposed vehicle access via proposed lot 5 access lot is to be sealed for 10m from the kerb line to the satisfaction of the NZ Transport Agency Network Manager.
2. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway, and within the site comprising the sealing of the access way for 10m from the kerb line has been constructed to the NZ Transport Agency standards.

Determination

On the basis of the above assessment of the proposed activity, and the conditions volunteered by the applicant, Waka Kotahi provides written approval under section 95E of the Resource Management Act 1991.

Advice Notes

Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to Waka Kotahi for a Corridor Access Request and for that request to be approved

Please submit your CAR to the Waka Kotahi CAR Manager via aran.arrieta@nzta.govt.nz a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.

Expiry of this approval

Unless resource consent has been obtained this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from Waka Kotahi.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact Bruce Hawkins via email at Bruce.Hawkins2@nzta.govt.nz or you can contact the environmental planning team at the following email address – environmentalplanning@nzta.govt.nz.

Yours sincerely

B.W.Hawkins

Bruce Hawkins
Senior Planner
Environmental Planning, System Design, on behalf of Waka Kotahi NZ Transport Agency.

Enclosed:

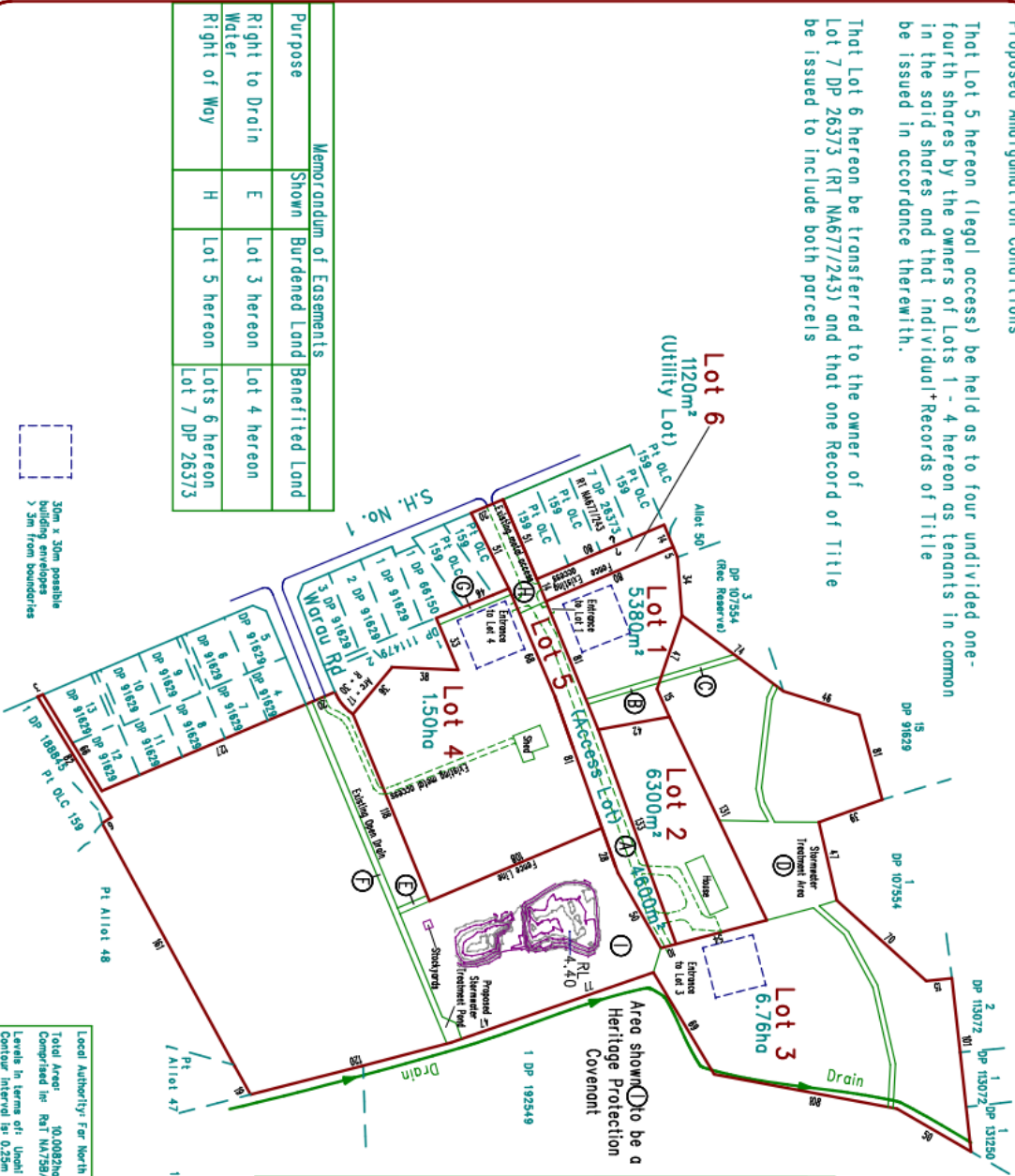
- Attachment 1: Proposed Scheme Plan
- Attachment 2: Extent of proposed sealing of accessway

Proposed Amalgamation Conditions

That Lot 5 hereon (legal access) be held as to four undivided one-fourth shares by the owners of Lots 1 - 4 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.

That Lot 6 hereon be transferred to the owner of Lot 7 DP 26373 (RT MA677/243) and that one Record of Title be issued to include both parcels

Memorandum of Easements		
Purpose	Shown	Benefited Land
Right to Drain	E	Lot 3 hereon
Water		Lot 4 hereon
Right of Way	H	Lots 6 hereon Lot 7 DP 26373



Schedule of Easements in Gross			
Purpose	Shown	Burdened Land	Grantee
Right to Convey Electricity & Telecommunications	A	Lot 5 hereon	Top Energy Ltd
Right to Convey Telecommunications	A	Lot 5 hereon	Chorus NZ Ltd
Right to Drain	A	Lot 5 hereon	
Water	B	Lot 1 hereon	
	C, D	Lot 3 hereon	For North District Council
	F	Lot 5 hereon	
Right of Way (Pedestrian)	A	Lot 5 hereon	Moungataniwha ki Rangunu Trust
	H	hereon	Te Runanga o iwi o Ngati Kahurangi Te Runanga o Ngati Takoto

Local Authority: Far North District Council
 Total Area: 10,008.22ha
 Comprised in: RA1 NA759/227
 Levels in terms of: United Datum
 Contour Interval is: 0.25m

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
 This plan and accompanying reports have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.
 Prepared for Bob Almond Family Trust

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF VON STURMERS AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF SURVEYING & PLANNING SOLUTIONS

VON STURMERS
 Registered Land Surveyors, Planners &
 Land Development Consultants
 19 Commerce St
 P.O. Box 128
 Kaiaua
 Ph: (09) 408 6000
 Email: kaiti@vonsturmervyandplanning.co.nz

Lots 1 - 6 being a Subdivision of Pt Lot 1 DP 91522

Name	Date	Scale	Size
Survey	BR	01/18	1:2500 A3
Drawn			
Rev	7	23-5-22	

Surveyors Ref. No
14091
 Sheet 1 of 1

Attachment 2. Extent of Proposed Sealing

