

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:

Lorna Beazley

Email:

Phone number:

Postal address:

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

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:

Steven Sanson - Sanson & Associates Limited

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:

refer Title

Property Address/
Location:

Refer 4.

Postcode

7. Application Site Details

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

Name/s:

Refer 4.

Site Address/
Location:

5 Teachers Road, Broadwood

Postcode

Legal Description:

Lot 3 DP 133375 and Sec 62 BI II

Val Number:

Certificate of title:

NA78C/296

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:

Specific conditions to which this application relates:

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).

Your AEE is attached to this application Yes

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)

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)

Signature: (signature of bill payer)

Date

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)

Steven Sanson

Signature:

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

Date 19-Dec-2024

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.

<p>Office Use Only Application Number:</p>
--

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: _____

Electronic Address for Service (E-mail): _____

Phone Numbers: Work: _____ Home: _____

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: _____

Electronic Address for Service (E-mail): _____

Phone Numbers: Work: _____ Home: _____

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

Post Code: _____

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: _____

Property Address/
Location _____

7. Application Site Details:

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

Site Address/
Location: _____

Legal Description: _____ Val Number: _____

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

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff? Yes / No
Is there a dog on the property? Yes / No
Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. **This is important to avoid a wasted trip and having to re-arrange a second visit.**

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.

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) _____

Email: _____

Postal Address: _____


_____ Post Code: _____

Phone Numbers: Work: _____ Home: _____ Fax: _____

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: LORNA BEAZLEY (please print)

Signature:  (signature of bill payer – mandatory) Date: 08/07/24

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: _____ (please print)

Signature: _____ (signature)

Date: _____

(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

Bay of Islands Planning Ltd

Kerikeri House
Suite 3, 88 Kerikeri Road
Kerikeri

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

19 December 2024

Far North District Council
John Butler Centre
Kerikeri

Application for consent condition variation s127 – Slight Alteration to Scheme Plan for RC 2250071

Please find attached a s127 application in relation to a proposed variation of consent conditions associated with RC 2250071. That application approved a 2 x lot subdivision in the Rural Production Zone.

The scheme was initially developed without consideration of natural contours and fencelines. This has now been included on the updated scheme plan.

The conditions to be varied are sought under s127 of the Resource Management Act 1991 (**RMA**), which is a **Discretionary Activity**.

Yours sincerely,



Steven Sanson
Consultant Planner

APPLICANT & PROPERTY DETAILS

Applicant	Lorna Beazley
Address for Service	Bay of Islands Planning [2022] Limited Kerikeri House Suite 3 88 Kerikeri Road Kerikeri C/O – Steven Sanson steve@bayplan.co.nz 0211606035
Legal Description	Lot 3 Deposited Plan 133375 and Section 62 Block II Whangape Survey District
Certificate Of Title	NA87C/296
Physical Address	5 Teachers Road, Broadwood
Site Area	41.2735ha
Owner of the Site	Refer Record of Title
Operative District Plan Zone / Features	Rural Production [ODP]
Proposed District Plan	Rural Production [PDP]

Schedule 1

SUMMARY OF PROPOSAL

Proposal	A variation to consent conditions of proposal to alter the Scheme Plan.
Reason for Application	<p>The scheme was initially developed without consideration of natural contours and fencelines. This has now been included on the updated scheme plan.</p> <p>An application under s127 of the RMA is needed.</p>
Appendices	<p>Appendix A – Record of Title & Instruments</p> <p>Appendix B – Updated Scheme Plan</p> <p>Appendix C - Copy of RC 2250071</p>
Consultation	Not applicable
Pre Application Consultation	Not applicable

1.0 INTRODUCTION & PROPOSAL

1.1 Report Requirements

This report has been prepared for the application in support of a s127 application in relation to the proposed variation of consent condition 1 associated with RC 2250071, which approved a 2 x lot subdivision.

Details about the site are found above in Schedule 1 and in the Record of Title & Instrument found in Appendix 1.

An updated Scheme Plan can be found in Appendix 2.

Decision documents associated with the original application can be found in Appendix 3.

Section 127 allows the holder of a resource consent to apply to the consent authority for a change or cancellation of a condition of the consent.

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

- a) the application was 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.

Section 127(4) also applies including:

-
- (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.

The conditions sought to be changed with the proposed wording is outlined below.

- Condition 1 which relates to the approved scheme plan.

The proposed variation to read as follows (refer underlined for additions and ~~striketrough for deletions~~):

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers, referenced 15309, dated ~~07-10-2024~~ ~~21-06-2023~~ and attached to this consent with the Council’s “Approved Stamp” affixed to it.

The rationale behind the changes are as follows:

- The scheme was initially developed without consideration of natural contours and fencelines. This has now been included on the updated scheme plan.

Should there be any other changes (consequential or otherwise) that arise during process, we retain the right to make further alternations and also provide FNDC staff with discretion to make changes that assist in workability and better implementation of consent conditions.

1.2 Section 127

The RMA establishes that a request under s127 is deemed to be discretionary activity and Section 88 to 121 apply with the necessary modifications. Additionally, in considering the request to change the condition Council is limited to only considering what is being sought within the condition change and the effects there from.

The original resource consent application was not the subject of a notified process. The decision was not the subject of an appeal. In terms of the effects created by this variation these factors are addressed as follows.

1.3 Application Process

The Council retains the discretion to determine whether a discretionary activity should be notified. In determining this factor, it is the change in the effects of the consent conditions which are assessed against any possible adverse effects upon any person.

The RMA also requires Council to consider the effect of the change on those persons who lodged a submission to the original application. In this case the original consent was processed heard.

This aspect requires the Council to assess if the effects of the condition change would have an adverse effect upon any of the submitters.

The change of conditions would not in my opinion create any adverse effects that are more than minor. It is also considered the change to consent conditions does not create effects of a nature that would necessitate involving any third party. The reasons for this conclusion are provided below.

Overall, it is considered that the application to change the condition can be processed without notification.

1.4 Effects

For this application, the potential adverse effects to be assessed are those arising from aspects of the proposal that have been identified as differing from the consented proposal.

This is a small change to the size and alignment of the Lot 1 / Lot 2 boundary from the original to the proposed – see below.

The changes are considered extremely minor in nature.

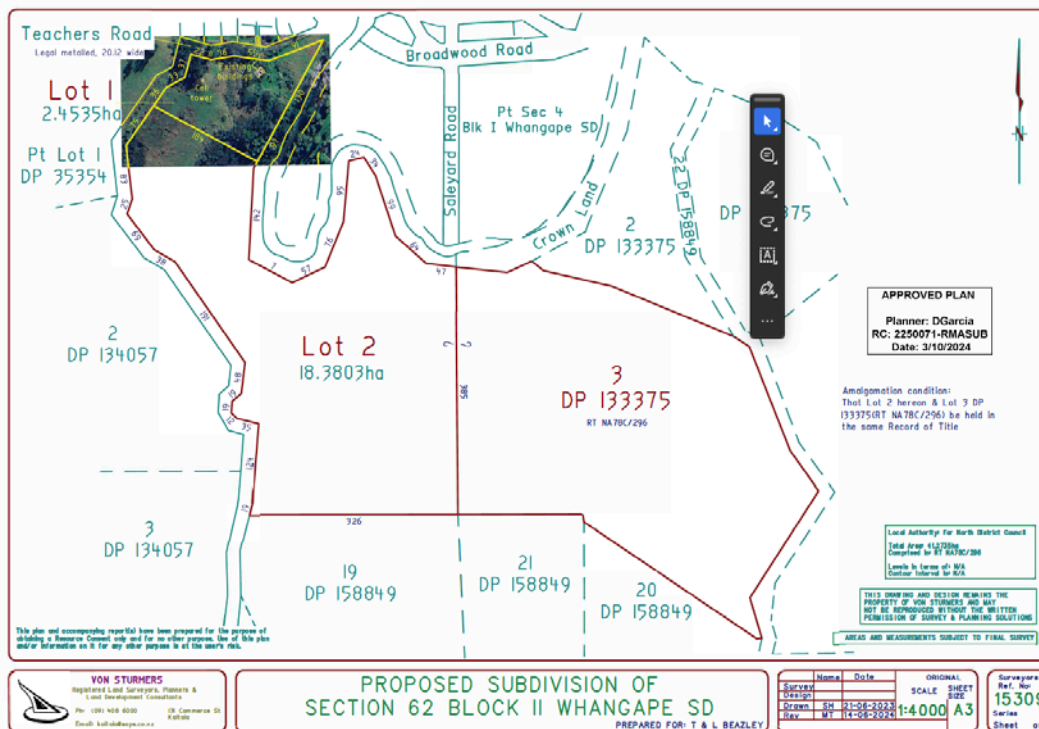


Figure 1: Approved Scheme

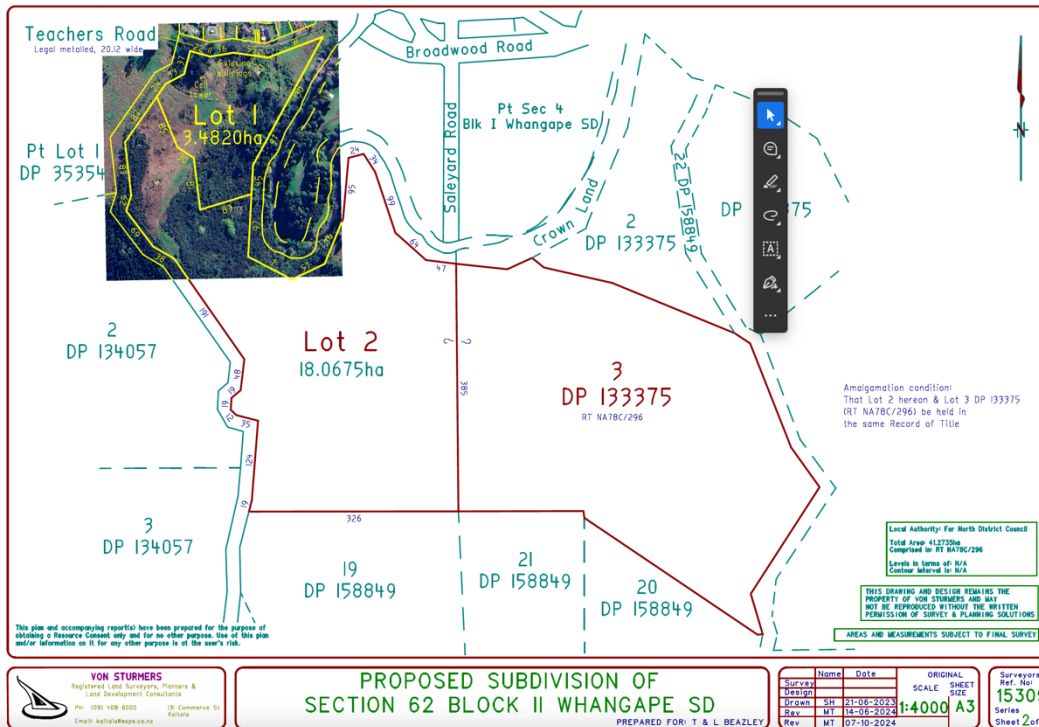


Figure 2: Proposed Scheme

The existing consents¹ determines the ‘existing environment’ and it is considered that the proposed change will incur no additional effects to that already experienced. The increase of Lot 1 and alignment of the boundary to better align with contours and fencelines does not change any effects resulting.

1.5 Conclusion

Based on the above assessment, it is considered that the actual and potential adverse effects of the proposal would be less than minor and that there are no affected parties resulting from the proposal.

2.0 STATUTORY CONTEXT

2.1 Objectives, Policies and Rules of the Far North District Plan

¹ The original decision also includes a discharge consent from the Northland Regional Council

The variation is to be assessed as a Discretionary Activity as if it was a resource consent. Section 104B requires the consideration of any relevant objectives and policies in addition to the effects of the activity.

It is considered these factors have been addressed within the original land use application, and no further assessment is required.

2.2 Conclusion

Having considered the above, I am of the opinion that the proposal is not inconsistent with the relevant suite of statutory documents.

3.0 PART 2 ASSESSMENT

3.1 Section 5 – Purpose of The RMA

Section 5 in Part 2 of the RMA identifies the purpose 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 which sustain those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding remedying or mitigating adverse effects on the environment.

It is considered that proposal represents a sustainable use of existing resources that allow people and the community to provide for its social and economic wellbeing in a manner that mitigates adverse effects on the environment.

3.2 Section 6 – Matters of National Importance

In achieving the purpose of the RMA, a range of matters are required to be recognised and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal have been recognised and provided for in the design of the development.

3.3 Section 7 – Other Matters

In achieving the purpose of the RMA, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
 - (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

3.4 Section 8 – Treaty of Waitangi

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

3.5 Part 2 Conclusion

Given the above, it is considered that the proposal meets the purpose of the RMA.

4.0 CONCLUSION

This application seeks a variation under s127 to amend an existing consent condition in relation to RC 2250071.

This change is minor in nature.

The change is consistent with the underlying approval and there was no need to reassess objectives and policies or higher order documents given the minor change.

An assessment of Part II of the RMA has been completed with the proposal generally able to satisfy this higher order document.

We look forward to receiving acknowledgment of the application and please advise if any additional information is required.

Yours sincerely,



Steve Sanson
Consultant Planner



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

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




R. W. Muir
Registrar-General
of Land

Identifier **NA78C/296**
Land Registration District **North Auckland**
Date Issued 05 March 1991

Prior References

NA28A/14 NA458/57

Estate Fee Simple
Area 41.2735 hectares more or less
Legal Description Lot 3 Deposited Plan 133375 and Section
 62 Block II Whangape Survey District

Registered Owners

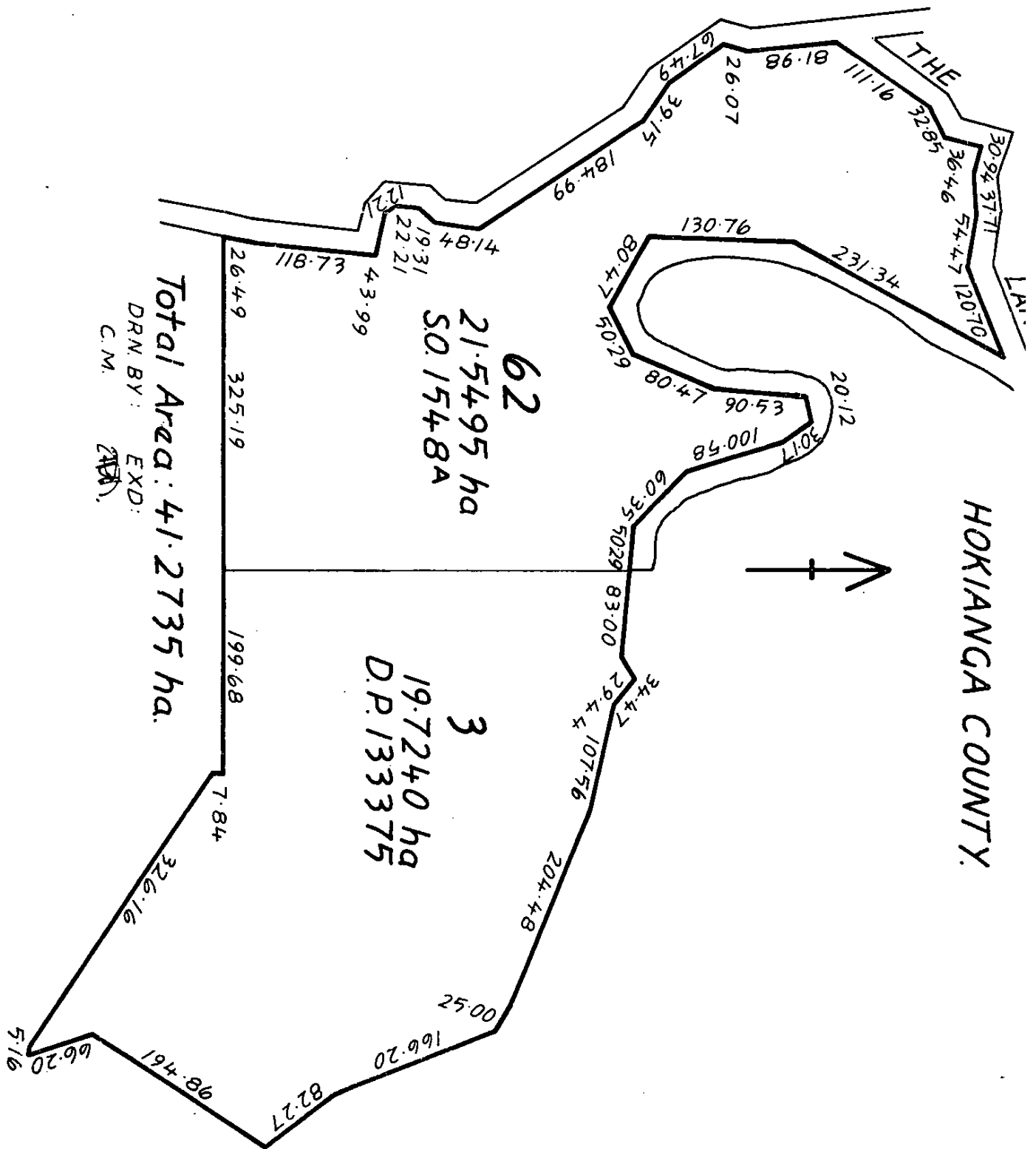
Trevor Julius Francis William Stephens Beazley as to a 1/2 share
Lorna Beazley as to a 1/2 share

Interests

Subject to a sewage right (in gross) over part marked A on DP 133375 in favour of Her Majesty the Queen for an area school from 17.9.1987 created by Gazette Notice B744414.2 (Affects Lot 3 DP 133375)

Subject to Section 308 (4) Local Government Act 1974

D365597.1 Mortgage to The National Bank of New Zealand Limited - 9.3.1999 at 10.11 am



Teachers Road

Legal metalled, 20.12 wide

Broadwood Road

Pt Sec 4
Blk I Whangape SD

Pt Lot 1
DP 35354

Lot 1
3.4820ha

Saleyard Road

Crown Land

2
DP 133375

DP 133375

2
DP 134057

Lot 2
18.0675ha

3
DP 133375
RT NA78C/296

Amalgamation condition:
That Lot 2 hereon & Lot 3 DP 133375
(RT NA78C/296) be held in
the same Record of Title

3
DP 134057

19
DP 158849

21
DP 158849

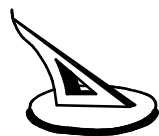
20
DP 158849

Local Authority: Far North District Council
Total Area: 41.2735ha
Comprised in: RT NA78C/296
Levels in terms of: N/A
Contour interval is: N/A

THIS DRAWING AND DESIGN REMAINS THE
PROPERTY OF VON STURMERS AND MAY
NOT BE REPRODUCED WITHOUT THE WRITTEN
PERMISSION OF SURVEY & 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.



VON STURMERS

Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 408 6000

131 Commerce St
Kaitiaki

Email: kaitiaki@saps.co.nz

PROPOSED SUBDIVISION OF SECTION 62 BLOCK II WHANGAPE SD

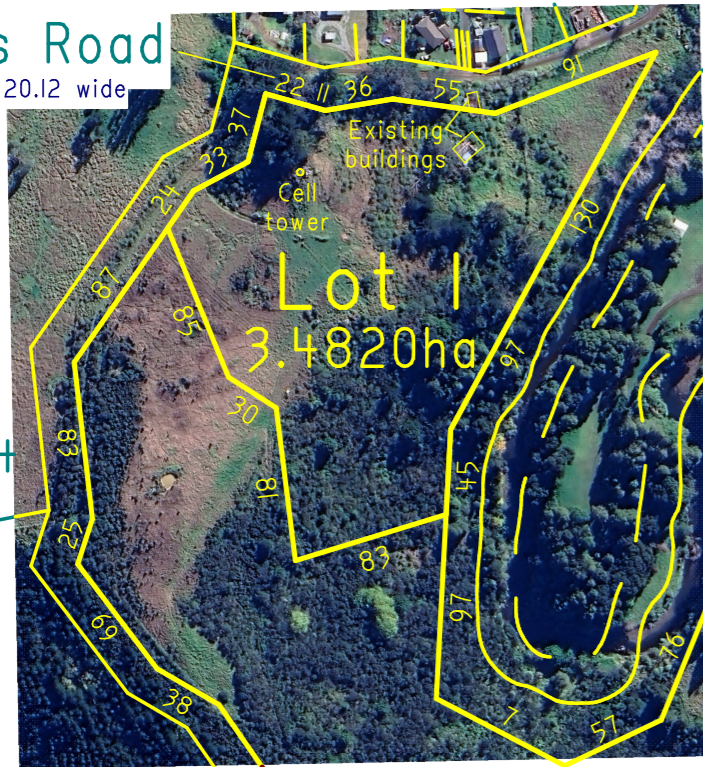
PREPARED FOR: T & L BEAZLEY

	Name	Date	ORIGINAL
Survey			SCALE
Design			SHEET
Drawn	SH	21-06-2023	1:4000 A3
Rev	MT	14-06-2024	
Rev	MT	07-10-2024	

Surveyors
Ref. No:
15309
Series
Sheet 1 of 2

Teachers Road

Legal metalled, 20.12 wide



Pt Lot 1
DP 35354

Lot 1
3.4820ha

Broadwood Road

Pt Sec 4
Blk I Whangape SD

Saleyard Road

Crown Land

2
DP 133375

DP 133375

22 DP 158849

2
DP 134057

Lot 2
18.0675ha

3
DP 133375
RT NA78C/296

Amalgamation condition:
That Lot 2 hereon & Lot 3 DP 133375
(RT NA78C/296) be held in
the same Record of Title

3
DP 134057

19
DP 158849

21
DP 158849

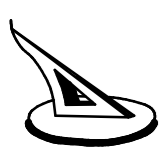
20
DP 158849

Local Authority: Far North District Council
Total Area: 41.2735ha
Comprised in: RT NA78C/296
Levels in terms of: N/A
Contour interval is: N/A

THIS DRAWING AND DESIGN REMAINS THE
PROPERTY OF VON STURMERS AND MAY
NOT BE REPRODUCED WITHOUT THE WRITTEN
PERMISSION OF SURVEY & 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.



VON STURMERS

Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 408 6000

131 Commerce St
Kaitaia

Email: kaitaia@saps.co.nz

**PROPOSED SUBDIVISION OF
SECTION 62 BLOCK II WHANGAPE SD**

PREPARED FOR: T & L BEAZLEY

	Name	Date	ORIGINAL	SHEET
Survey			SCALE	SIZE
Design			1:4000	A3
Drawn	SH	21-06-2023		
Rev	MT	14-06-2024		
Rev	MT	07-10-2024		

Surveyors
Ref. No:
15309
Series
Sheet 2 of 2

**DECISION ON SUBDIVISION CONSENT APPLICATION
UNDER THE RESOURCE MANAGEMENT ACT 1991**

Decision

Pursuant to section 34(1) and sections 104, 104C, 106, 108 and Part 2 of the Resource Management Act 1991 (the Act or the RMA), the Far North District Council **grants** subdivision resource consent for a Restricted Discretionary Activity, subject to the conditions listed below to:

Applicant:	Lorna Beazley
Council Reference:	2250071-RMASUB
Property Address:	5 Teachers Road, Broadwood
Legal Description:	LOT 3 DP 133375 SEC 62 BLKS I II WHANGAPE SD- LOT 3 SUBJ TO SEWAGE ESMT

The activity to which this consent relates is:

2 lots subdivision in Rural Production zone, including amalgamation, as a Restricted Discretionary Activity in the Operative Far North District Plan 2009.

Conditions

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 Von Sturmers, referenced 15309, dated 21-06-2023 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. The endorsement of the following conditional amalgamation, pursuant to Section 220 1(b)(ii) of the RMA: **That** Lot 2 hereon be transferred to the owner of Lot 3 DP 133375 (RT NA78C/296) and be held in the same Record of Title.
[LINZ Request No 1923414]
3. 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. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

[All lots].

- b. Before constructing a vehicle access point to the lot on Teachers Road, and at the time of submitting the building consent application, the lot owner must obtain a permit or approval from the Council regarding the location of the access (from a traffic safety perspective), for the earthworks, formation, and drainage of the access. This must comply with the Council's Vehicle Crossings Bylaw or the current engineering standards.

[Lot 1].

- c. Before constructing a vehicle access point to the lot on Carmen Road, and at the time of submitting the building consent application, the lot owner must obtain a permit or approval from the Council regarding the location of the access (from a traffic safety perspective), for the earthworks, formation, and drainage of the access. The access must comply with the Council's Vehicle Crossings Bylaw or the current engineering standards.

[Lot 2]

- d. The site is within an area identified by the Department of Conservation as a Kiwi-present area. To protect the kiwi population, mustelids shall not be introduced or kept on-site. Care must be taken with the keeping of cats and dogs. At night, all dogs and cats must be locked inside or within an appropriate kiwi proof enclosure to minimize the risk to the kiwi habitat.

[Lot 1]

- e. The owner shall preserve the Protected Natural Area (PNA) named Broadwood Riparian Remnants, Habitat type (Forest) on the property and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

[All lots]

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. *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).*
5. *During the assessment of your application, it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.*
6. *The site is adjacent/ accessed off/ in close proximity (wording dependant on the layout of the lot) to an unsealed road. Unsealed roads have been shown to create a dust nuisance from vehicle usage. It is advised that the dwelling is either located as far as possible or at least 80m from the road, and/or boundary planting within the site is utilised to assist with this nuisance. Alternatively, the applicant may consider sealing their road frontage to remove the issue.*

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 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 Restricted Discretionary Activity resource consent. In accordance with section 104C of the RMA, only matters over which the council has restricted its discretion have been considered. These matters are outlined in section 13.7.2.1 of the Operative Far North District Plan, covering subdivision and transportation 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 subdivision will have no significant adverse effects on the environment, particularly considering the Rural Production zone context, which prioritizes efficient use of rural land.
- b. The proposal aligns with the objectives and policies of the rural environment (refer to Chapter 8 of the Far North District Plan), which support subdivision for productive uses while maintaining rural character.
- c. Transportation effects, including access points and vehicle movements, are mitigated by compliance with the relevant standards, and no significant safety or traffic flow issues are anticipated.
- d. The conditions of consent ensure that any future development will adhere to the required access and infrastructure standards.
- e. Neighbouring properties similar to proposed Lot 1 are found along Teachers Road, where agricultural activities are the primary land use.

The proposal will also result in positive effects:

- f. The subdivision will support rural productivity by creating a lot suited for rural use while retaining sufficient access and infrastructure provisions.
 - g. The formal protection of the Protected Natural Area (PNA) on-site through a consent notice ensures the conservation of indigenous biodiversity, which aligns with broader ecological and environmental sustainability goals.
 - h. The kiwi protection conditions imposed on Lot 1 will contribute positively to the preservation of the local kiwi population. By requiring that mustelids are not introduced, and that dogs and cats are kept inside or in kiwi-proof enclosures at night, the proposal significantly reduces risks to kiwi and other native wildlife, supporting local biodiversity. This careful management of pets on-site ensures that the kiwi habitat is not negatively impacted by the subdivision.
3. In regard to section 104(1)(b) of the Act, the following statutory documents are considered to be relevant to the application:
- a. Operative Far North District Plan 2009,
 - b. Proposed Far North District Plan 2022.

Given the nature of this application, which is for a Restricted Discretionary Activity, the operative and proposed district plans are the most relevant documents. The activity is consistent with the objectives and policies of these plans, ensuring that the subdivision is appropriate within the Rural Production Zone.

Operative Far North District Plan

The proposal aligns with the relevant objectives, policies, and assessment criteria of the Operative Far North District Plan 2009. Specifically, the subdivision supports the efficient use of rural land (Chapter 13: Subdivision) while maintaining rural character and landscape values (Chapter 8: Rural Environment). The proposal also adheres to transportation standards (Chapter 15: Transportation), ensuring safe and compliant access. As a result, the proposal is consistent with the overall intent of the Operative District Plan.

Proposed Far North District Plan

The subdivision is also generally consistent with the relevant objectives and policies of the Proposed Far North District Plan 2022. The proposal supports the sustainable use of rural land for productive purposes, in line with the proposed policies for the Rural Production Zone. While there are ongoing changes to the Proposed Plan as it moves through the statutory process, the subdivision meets the general outcomes sought by the Plan, including maintaining biodiversity and rural character.

For this resource consent application, both the Operative and Proposed District Plans have been considered. Since the outcomes sought by both plans are aligned, no additional weighting is necessary. The proposal meets the key objectives and policies of both frameworks, ensuring that the subdivision complies with the current and future planning direction for rural land use in the district.

4. 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.
5. 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 Diego Solarte Garcia, 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 subdivision into two lots of the site at 5 Teachers Road, Broadwood as a Restricted Discretionary Activity in the Rural Production zone of the Operative Far North District Plan 2009 and in accordance with the Resource Management Act 1991.



Alan Watson

Date: 3 October 2024

RMA Commissioner

Teachers Road

Legal metalled, 20.12 wide

Lot 1
2.4535ha

Pt Lot 1
DP 35354

Broadwood Road

Pt Sec 4
Blk I Whangape SD

Saleyard Road

Crown Land

DP 133375

DP 133375

2
DP 134057

Lot 2
18.3803ha

3
DP 133375
RT NA78C/296

3
DP 134057

19
DP 158849

21
DP 158849

20
DP 158849

APPROVED PLAN

Planner: DGarcia
RC: 2250071-RMASUB
Date: 3/10/2024

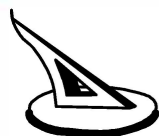
Amalgamation condition:
That Lot 2 hereon & Lot 3 DP 133375
(RT NA78C/296) be held in
the same Record of Title

Local Authority: Far North District Council
Total Area: 41.2735ha
Comprised in: RT NA78C/296
Levels in terms of: N/A
Contour Interval is: N/A

THIS DRAWING AND DESIGN REMAINS THE
PROPERTY OF VON STURMERS AND MAY
NOT BE REPRODUCED WITHOUT THE WRITTEN
PERMISSION OF SURVEY & 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.



VON STURMERS

Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 408 6000

131 Commerce St
Kaitiaki

Email: kaitiaki@saps.co.nz

PROPOSED SUBDIVISION OF SECTION 62 BLOCK II WHANGAPE SD

PREPARED FOR: T & L BEAZLEY

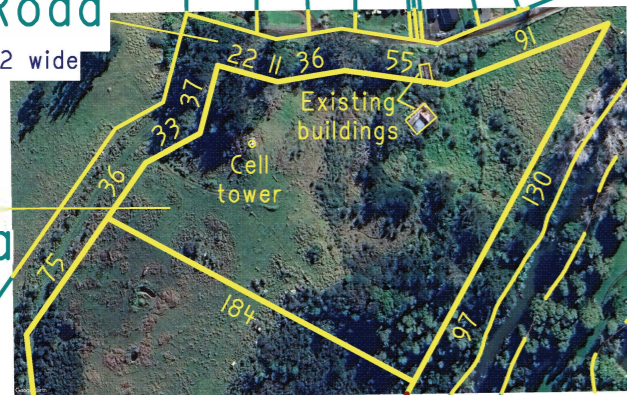
	Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey			1:4000	A3
Design				
Drawn	SH	21-06-2023		
Rev	MT	14-06-2024		

Surveyors
Ref. No:
15309
Series
Sheet of

Teachers Road

Legal metalled, 20.12 wide

Lot 1
2.4535ha



Pt Lot 1
DP 35354

Broadwood Road

Pt Sec 4
Blk I Whangape SD

Saleyard Road

Crown Land

DP 133375

DP 133375

DP 158849

2
DP 134057

Lot 2
18.3803ha

3
DP 133375
RT NA78C/296

3
DP 134057

19
DP 158849

21
DP 158849

20
DP 158849

APPROVED PLAN

Planner: DGarcia
RC: 2250071-RMASUB
Date: 3/10/2024

Amalgamation condition:
That Lot 2 hereon & Lot 3 DP
133375(RT NA78C/296) be held in
the same Record of Title

Local Authority: Far North District Council
Total Area: 41.2735ha
Comprised in: RT NA78C/296
Levels in terms of: N/A
Contour interval is: N/A

THIS DRAWING AND DESIGN REMAINS THE
PROPERTY OF VON STURMERS AND MAY
NOT BE REPRODUCED WITHOUT THE WRITTEN
PERMISSION OF SURVEY & 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.



VON STURMERS

Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 408 6000

131 Commerce St
Kaitia

Email: kaitia@saps.co.nz

PROPOSED SUBDIVISION OF SECTION 62 BLOCK II WHANGAPE SD

PREPARED FOR: T & L BEAZLEY

	Name	Date
Survey		
Design		
Drawn	SH	21-06-2023
Rev	MT	14-06-2024

ORIGINAL
SCALE SHEET
SIZE
1:4000 A3

Surveyors
Ref. No:
15309
Series
Sheet of