

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:

Neo Family Trustee Company Limited

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

0293

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:

Lynley Newport

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

0245

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:

As per item 4 above

Property Address/
Location:

Postcode

7. Application Site Details

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

Name/s:

As per item 4 above

Site Address/
Location:

Postcode

0405

Legal Description:

Lot 2 DP 172752

Val Number:

Certificate of title:

NA106A/142

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.

House is tenanted. Please provide 3 days' advance notice of any site visit (if one is required at all).

8. Detailed description of the proposal:

This application relates to the following resource consent: 2250293-RMACOM

Specific conditions to which this application relates:

Changes sought to Conditions 3(a); 4(k), 4(l) and 5(i) of the Subdivision Decision.

Describe the proposed changes:

The consent holder has decided to move the existing house to be entirely within Lot 2 rather than Lot 1 - this requires changes to conditions 3(a), 4(k) and 4(l) to provide for that option.
The consent holder's engineer has picked up on an inconsistency in the wording of the stormwater management consent notice condition and has suggested alternative wording.

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 Enter BC ref # here (if known)

☐ Regional Council Consent (ref # if known) Ref # here (if known)

☐ National Environmental Standard consent Consent here (if known)

☐ Other (please specify) Specify 'other' here

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) Neo Family Trustee Company Limited

Email:

Phone number:

Work

Home

Postal address:

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

Postcode

0293

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)

Laura Knox-Whyte

Signature: (signature of bill payer)

Date 3/10/25

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)

Laura Knox-Whyte

Signature:

[Redacted Signature]

Date 3/10/25

A signature must be provided by electronic means

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.



Our Reference: 10656.Var

6 October 2025

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Minor Variation to RC 2250293-RMACOM; Neo Family Trustee Company Ltd; 21 Hillcrest Road Kaikohe

I am pleased to submit application on behalf of Neo Family Trustee Company Limited, for a minor variation to RC 2250293-RMACOM, a combined consent issued for land at 21 Hillcrest Road, Kaikohe, zoned Residential. The application is a discretionary activity.

The application fee of \$704 has been paid separately via direct credit.

Regards

Lynley Newport
Senior Planner
THOMSON SURVEY LTD

Neo Family Trustee Company Ltd

Minor s127 APPLICATION

RC 2250293-RMACOM

21 Hillcrest Road, Kaikohe

PLANNER'S REPORT & ASSESSMENT OF ENVIRONMENTAL EFFECTS

Thomson Survey Ltd
Kerikeri

1.0 INTRODUCTION

1.1 s127 minor variation proposal

RC 2250293-RMACOM was issued on 1st September 2025. Since then the consent holder has reviewed the layout of the site and discussed engineering aspects with their design engineer. This has resulted in two changes being requested to conditions of consent.

The first is in regard to the location of the existing dwelling within the site and where the consent holder now wishes it to be transferred to; and the second is in regard to stormwater attenuation requirements, at building consent stage.

No change to the stamped approved scheme plans are required. A copy of RC 2250293-RMACOM, as issued, is attached in Appendix 1 and a Location map and Record of Title are attached in Appendices 2 & 3 respectively.

1.2 Scope of this Report

This assessment and report accompanies the application for a change to conditions (s127) and for an extension to the lapse period (s125). A s127 application is regarded as a **discretionary** activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought.

2.0 PROPERTY DETAILS

Location:	21 Hillcrest Road, Kaikohe
Legal description:	Lot 2 DP 172752
Record of Title:	NA106A/142

3.0 SITE DESCRIPTION

The site description remains unchanged from that provided in the planning report / AEE supporting RC 2250293.

4.0 CHANGES REQUESTED AND EXPLANATION

S223 condition 3(a) currently reads:

Provide confirmation of whether the existing dwelling located over the boundary of Lot 1 and Lot 2 will be removed from site or moved within the boundaries of Lot 1.

The intent is now to move the existing dwelling to be entirely within Lot 2 (compliant with boundary rules etc). The easiest amendment of wording would be to simply include the option of Lot 2, as follows:

Provide confirmation of whether the existing dwelling located over the boundary of Lot 1 and Lot 2 will be removed from site or moved within the boundaries of Lot 1 or moved within the boundaries of Lot 2.

S224c condition 4(k) currently reads:

Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide written confirmation from a Licensed Cadastral Surveyor that this building has been positioned in compliance with the permitted setback, sunlight, height, and building coverage standards of the Residential Zone in the Operative District Plan, or in the instance of a breach, provide evidence that the infringement has been appropriately consented under the Resource Management Act.

As with condition 3(a) above, the simplest amendment is to add the possibility of moving the existing dwelling to be within the boundaries of Lot 2:

Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of ~~either~~ Lot 1 or Lot 2, provide written confirmation from a Licensed Cadastral Surveyor that this building has been positioned in compliance with the permitted setback, sunlight, height, and building coverage standards of the Residential Zone in the Operative District Plan, or in the instance of a breach, provide evidence that the infringement has been appropriately consented under the Resource Management Act.

Condition 4(l) currently reads:

Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide a Producer Statement (PS3) from a suitably qualified and experienced person confirming all of the stormwater retention tank with a flow attenuated outlet for Lot 1 was executed generally in accordance with the recommendations of the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM.

As with 4(k), a reference to shifting the dwelling to be within Lot 2 (as an option) needs to be included.

Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide a Producer Statement (PS3) from a suitably qualified and experienced person confirming all of the stormwater retention tank with a flow attenuated outlet for Lot 1, or alternatively Lot 2, was executed generally in accordance with the recommendations of the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM.

Explanation

The consent provides for up to 60% site coverage on all of Lots 1-3. The proposed shifting of the existing dwelling to Lot 2 instead of Lot 1 can still meet the 20% threshold of impermeable surface coverage for proposed Lot 2 as the existing dwelling is only 107m² roof area. This allows for 290m² of access / turning area whilst still remain under 60%.

Consent Notice condition regarding stormwater management

S221 Condition 5 (i) uses standardised wording to some degree, however, is not in line with the recommendations / commentary in the referenced Site Suitability Report. The authors (Vision Engineering) would like the consent notice condition to accurately reflect their report.

Condition 5(i) currently reads:

In conjunction with the construction of any Building on the allotment, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is limited to 80% of predevelopment flows from the site for rainfall events up to a 10% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified professional engineer in general accordance with the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM. [All Lots]

This appears to be standardised wording that has not taken into account any of the recommendations in the Vision Engineering report supporting the application. The site is urban with a Council reticulated stormwater system to discharge to. There is no flooding issue. The permitted impermeable coverage is 50% and there should be no requirement to have to attenuate beyond the permitted coverage. This variation seeks an amendment to the wording of 5(i) as follows:

~~In conjunction with the construction of any Building on the allotment~~ At the time of Building Consent, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is limited to 80% of predevelopment flows from the site for rainfall events up to a 10% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified professional engineer in general accordance with provide a stormwater management plan, prepared by a suitably qualified professional engineer. This plan shall demonstrate that the total stormwater discharge from the developed site is attenuated to a flow rate equivalent to a

50% impervious site coverage. This attenuation is required for the rainfall event of the 10% AEP (Annual Exceedance Probability) with an allowance for climate change. This condition applies to any impervious surfaces (including buildings, driveways, and other hardstand areas) that cause the total impervious area of the site to exceed 50%. The Plan may reference the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM. [All Lots]

5.0 STATUTORY REQUIREMENTS

Applications for changes to consent conditions are lodged pursuant to s127. Pursuant to clause 127(3)(a), the application for a change to consent conditions is a **discretionary activity** application. Sections 88 to 121 of the Act apply, and the following planners report and Assessment of Environmental Effects is offered pursuant to the requirements of those relevant sections of the Act. The Assessment of Effects only addresses the effects of the change, as specified in s127.

S104

S104 of the Act requires a consent authority to consider any actual and potential effects on the environment resulting from the change; and any relevant provisions of

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

Assessment of Environmental Effects

When considering the effects under a s127 application, it is only the effects of the changes being sought that need be assessed and considered.

The change to allow the existing building on the site to be either removed from the site completely, or transferred to be totally within Lot 1, OR Lot 2 has no adverse environmental effects in that consent has already been granted to a three lot subdivision providing for the retention of the existing dwelling within the site as an option for built development within one of the lots. The consent will enable a dwelling on each site, whether it is existing or new.

The change to the stormwater consent notice condition is aimed at reflecting what is permitted on the lots in terms of coverage, i.e. 50% per site (lot), and ensuring attenuation of runoff from any additional impermeable surface back to the rate and volume of runoff that is permitted. In ensuring no additional runoff beyond the permitted rate, no adverse environmental effects arise, particularly when the stormwater management plan and design is requiring approval by the Council at building consent stage in any event.

Relevant Provisions of planning instruments

The consent was originally issued only a month ago. There is no change to the overall consented activity, only to the potential location of the existing dwelling and to the details of stormwater attenuation design – which will still be designed to meet the Council's requirements.

Part 2 Matters

Similarly, the changes so not require any further consideration under s5-8, Part 2 of the Act.

6.0 CONSULTATION

Under Section 127(4) of the Act:

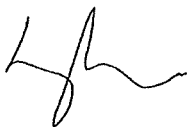
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—*
- (a) made a submission on the original application; and*
 - (b) may be affected by the change or cancellation.*

The original application was processed on a non-notified basis, under delegated authority, with the dominant tenement of the shared accessway providing written approval. The changes being requested do not impact on the shared accessway design or usage. The access upgrade requirements (conditions that no change is being requested for), coupled with the consent notice to apply to Lot 2 (owner of the leg-in) in terms of stormwater management, will ensure no adverse effects on that party.

7.0 CONCLUSION

It is considered the effects of the changes on the wider environment are less than minor. The proposal remains consistent with the relevant objectives and policies of the Operative and Proposed District Plans and the Regional Policy Statement, and Part 2 of the Resource Management Act. There is no District Plan rule or national environmental standard that requires the proposal to change conditions to be publicly notified and no persons have been identified as adversely affected by the proposal. It is therefore requested that the Council grant approval to the minor s.127 application on a non notified basis.

Report prepared by:



Lynley Newport
Senior Planner,
THOMSON SURVEY LTD

Date 6th October 2025

8.0 LIST OF APPENDICES

Appendix 1	RC 2250293-RMACOM
Appendix 2	Location Map
Appendix 3	Record of Title

Appendix 1

RC 2250293-RMACOM

DECISION ON COMBINED RESOURCE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34A(1) and sections 104, 104B, 106, 108 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** land use and subdivision resource consent for a Discretionary activity, subject to the conditions listed below, to:

Applicant: Neo Family Trust
Council Reference: 2250293-RMACOM
Property Address: 21 Hillcrest Road, Kaikohe 0405
Legal Description: Lot 2 DP 172752

The activities to which this decision relates are listed below:

Activity A – Subdivision:

Subdivision to create two additional allotments in the Residential zone.

Activity B – Land Use:

Land-use consent for:

- An Accessway breaching Private Accessway in all Zones, Private Accessways in Urban Zones, and General Access Standards.
- 60% of impermeable coverage on Lot 1, Lot 2, and Lot 3.

Overall, resource consent is required as a Discretionary Activity.

Subdivision Conditions

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

1. The activity must be carried out in general accordance with the approved plan prepared by Thomson Survey Limited, referenced Proposed Subdivision of Lot 2 DP 172752 – 21 Hillcrest Road, Kaikohe, dated 02/07/2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.

- b. Easement B ROW in accordance with Figure 4: Vehicle Turning Circles (99th percentile car) and easement B extension, of the Vision Consulting Engineers Memorandum referenced 15688 Subject: Response to Section 92 Request – Hillcrest Road Subdivision (J15688), dated 09/05/2025.
 - c. Easements in gross, pursuant to Section 220(1)(f) of the Resource Management Act 1991, shall be endorsed on the survey plan under a Schedule of Memorandum of Easements and shall be duly granted or reserved for all public infrastructure located within private land.
 - d. Any easements if required to service Lots 1 and 2, to ensure the continued conveyance of wastewater into the Council reticulated sewer network located on Lot 3.
 - e. Any easements if required to service Lots 1 and 3, to ensure the continued conveyance of stormwater into the Council stormwater kerb/channel network located on Hillcrest Road.
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder must:
- a. Provide confirmation of whether the existing dwelling located over the boundary of Lot 1 and Lot 2 will be removed from site or moved within the boundaries of Lot 1.
 - b. Submit to Council's Resource Consents Engineer a design and certification for the proposed sewer connections, prepared by a suitably qualified and experienced professional engineer. The certification must confirm that the connections are generally compliant with the Council's Engineering Standards and are capable of providing a functional feed to the existing Council network. The certification must be supported by design calculations and physical verification of the connection point at the property boundary. All relevant evidence must be provided to demonstrate the suitability of the connections for continuous use.
 - c. Submit a detailed set of engineering plans prepared in accordance with Council's Engineering Standards Version 0.6 (issued May 2023). The engineering plans are to be submitted to the Resource Consent Engineer for approval. All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1A or similar). Plans shall be prepared and/or reviewed by a suitably qualified and Chartered Professional Engineer.

The engineering plans shall include, but are not limited to, the following:

- i. Design details and typical cross-sections of the accessway within proposed ROW Easement A and Easement B, in accordance with Appendix 3B-1 of the Far North Operative District Plan.
Note: The submitted plans shall clearly demonstrate how all required services—including but not limited to water, wastewater, stormwater, power, and telecommunications—can be accommodated within the 3.3-metre-wide panhandle. The design shall ensure compliance with relevant engineering standards and provide sufficient spatial allocation for safe and practical service installation and maintenance.

- ii. Vehicle tracking curves for a 99th percentile motor car, demonstrating required manoeuvring and circulation clearances for access to the proposed Lots via ROW Easement B, in accordance with Appendix 3E of the Far North District Plan.
- iii. Design details and long section of stormwater layout under the access on ROW Easement A and Easement B with required gradient and pipe protection.
- iv. Location details and specification of the RJ-13 (No Heavy Vehicles) sign in general accordance with the R5-3 classification requirements set out in Table 15-5 of the Traffic Control Devices Manual – Part 5: Traffic Control Devices for General Use Between Intersections.

Section 224(c) compliance conditions

- 4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:

- a. Provide evidence that all works on the approved engineering plans in Condition 3(b) have been carried out to the approval of the Resource Consent Engineer. Compliance with this condition shall be determined by:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter/ Inspection and Test Plan.
- ii. A PS4A Certificate of Completion and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works with the Council's Engineering Standards.
- iii. Signed "Certificate of Completion of Resource Consent Works" from the Principal Contractor.

Note: A PS4A Certificate of Completion for works to be vested in Council must be signed by a suitably qualified and experienced person (SQEP) with knowledge and experience of the relevant fields of work.

No construction works are to commence onsite until the engineering plans required in condition 3(b) have been approved by Council.

- b. Provide evidence that all works on the approved engineering plans in Condition 3(c) have been carried out to the approval of the Resource Consent Engineer. Compliance with this condition shall be determined by:

- i. Site inspections undertaken as agreed in Council's engineering plan approval letter/ Inspection and Test Plan.
- ii. A PS4A Certificate of Completion and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works with the Council's Engineering Standards.
- iii. "Certificate of Completion of Resource Consent Works" from the Contractor.

Note: A PS4A Certificate of Completion for works to be vested in Council must be signed by a suitably qualified and experienced person (SQEP) with knowledge and experience of the relevant fields of work.

No construction works are to commence onsite until the engineering plans required in condition 3(c) have been approved by Council.

- c. Submit certified and dated 'As-built' plans and drawings of completed works and services in accordance with Council's Engineering Standards 2023 Edition. This condition shall be deemed satisfied once the as-built documents have been approved by Councils' Resource Consent Engineer or delegated representative.
- d. Provide a sealed or concreted accessway within the ROW easements A and B to a 3m carriageway width and Appendix 3B-1 of the Far North Operative District Plan.
- e. Provide written confirmation from a Licensed Cadastral Surveyor that all services and ROW accessways are located within the appropriate easement boundaries to the satisfaction of the Resource Consent Engineer or delegated representative. The Easement B boundaries must accommodate the vehicle tracking curve of a 99th Percentile Motor car which complies with Appendix 3E of the Far North Operative District Plan.
- f. Provide evidence that each lot has a connection to Councils reticulated wastewater system in accordance with the requirements of Councils Engineering Standards and Guidelines.
- g. Provide evidence that each lot has a connection to Councils reticulated stormwater kerb/channel system in accordance with the requirements of Councils Engineering Standards and Guidelines.
- h. Provide evidence that each lot has a metered connection to Councils reticulated water supply system in accordance with the requirements of Councils Engineering Standards and Guidelines.
Note: If the designated site for the water meters is situated within the traffic flow area, a cast iron box and cover is to be used (refer Sheet 46 of the Engineering Standards).
- i. Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been removed from site in accordance with condition 3(a), provide photographic evidence confirming that the existing dwelling has been fully removed from site.
- j. Provide documentation that the service providers of electric power and telecommunications to the sites are satisfied with the arrangements made for the provision of these services to the boundary of each allotment.
- k. Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide written confirmation from a Licensed Cadastral Surveyor that this building has been positioned in compliance with the permitted setback, sunlight, height, and building coverage standards of the Residential Zone in the Operative District Plan, or in the instance of a breach, provide evidence that the infringement has been appropriately consented under the Resource Management Act.
- l. Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide a Producer Statement

(PS3) from a suitably qualified and experienced person confirming all of the stormwater retention tank with a flow attenuated outlet for Lot 1 was executed generally in accordance with the recommendations of the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM.

- m. Where the existing dwelling located over the boundary of Lot 1 and Lot 2 has been moved within the boundaries of Lot 1, provide evidence that the dwelling has been suitably connected to Council's reticulated water supply system, and Council's wastewater system.
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
- i. In conjunction with the construction of any Building on the allotment, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is limited to 80% of predevelopment flows from the site for rainfall events up to a 10% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified professional engineer in general accordance with the Site Suitability Report, reference no. J15729 (version no. 2), dated 13 June 2024, prepared by Vision Consulting Engineers and submitted 2250293-RMACOM. [All Lots]
 - ii. Without the prior approval of the Council, no buildings shall be erected on, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has been proposed as a secondary / overland (Q100) flow path. [All Lots]
 - iii. The landowner shall maintain in perpetuity the RJ-13 (No Heavy Vehicles) sign installed under condition 4(b) of 2250293-RMACOM. This restriction aims to preserve the structural integrity and safety of the right of way, considering its design limitations. [All Lots]

Subdivision 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.

Section 224 Certification

2. *A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other costs associated with the Resource Consent have been paid in full.*

General

3. *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).*
4. *Prior to the commencement of the development, the consent holder is advised that erosion and sediment control is required to be undertaken in accordance with the Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Document GD05.*
5. *The consent holder is responsible for arranging for buried services to be located and marked prior to commencing the vehicle crossing construction works and ROW accessway works. The consent holder is also responsible for the repair and reinstatement of any underground services damaged as a result of the exercise of this consent.*
6. *The consent holder is responsible for the repair and reinstatement of the road carriageway, damaged as a result of the vehicle crossing works and/or the ROW accessway works. Such works, where required, will be required to be completed to the satisfaction of the Council's Roading Manager.*
7. *The consent holder is advised that any debris deposited on the public or private road as a result of the exercise of this consent shall be removed by or at the expense of the applicant.*
8. *The consent holder is advised that they are responsible for submitting a Traffic Management Plan (TMP) and/or a Corridor Access Request (CAR) for approval by Council's Corridor Access Engineer prior to construction of any vehicle crossing within the road reserve and to the existing public road carriageway. Application for TMP and CAR are made via <https://www.fndc.govt.nz/Our-Services/Transport/Roads/Road-closures-and-restrictions>*
9. *The consent holder is advised that all construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".*
10. *The consent holder is advised that the road should be kept clear of any construction and delivery vehicles.*
11. *The consent holder is advised that Building Consents may be required for moving the existing dwelling into the boundaries of Lot 1.*

Land Use Conditions

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

1. No conditions apply. Note: Conditions for Activity A of this consent are considered sufficient for this Land use Decision, specifically Conditions 4(b), 4(d), 4(l), 5(i) and 5(iii).

Land Use 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.

General Advice Notes

Right of Objection

1. 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

2. 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

3. The consent holder is advised that the road should be kept clear of any construction and delivery vehicles.
4. The consent holder is advised that an application to connect the new buildings to the Council wastewater network shall be submitted to Council for approval.
5. The consent holder is advised that an application to connect the new buildings to the Council water supply network shall be submitted to Council for approval.
6. The consent holder is advised that an application to connect the new buildings to the Council stormwater network shall be submitted to Council for approval.

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 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 Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The addition of two allotments will have less than minor traffic impacts on the roading network. Council's Roading Team were sent a copy of the application and have provided written approval of the proposal.
 - b. The proposed lots are sized and shaped to enable all the existing and future developments to meet the amenity-based development control standards.
 - c. The Resource Consents Engineer has assessed the proposed infrastructure and considers that any adverse effects relating to access, water supply, wastewater or stormwater can be mitigated within the site and conditions are recommended to this effect.
 - d. With respect to the residential development located on 21A Hillcrest Road (Lot 1 DP 172752) which is located to the north of the proposed development area, the owners of the property have provided written approval and are not considered affected.
 - e. The proposal is consistent with the surrounding land use and does not pose any concerns relating to reverse sensitivity or land use compatibility. Therefore, the potential effects on persons relating to land use compatibility and reverse sensitivity is deemed to be less than minor.
 - f. The site's current zoning in the Operative District Plan and proposed rezoning in the Proposed District Plan exclude it from Highly Productive Land classification, limiting impact on productive soils.
 - g. There are no known heritage or cultural sites affected by the proposal. An advice note highlights the protective provisions of Heritage New Zealand Pouhere Taonga's accidental discovery protocol which will be required to be adopted by all contractors and site workers for the duration of the site-works.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:

- a. Northland Regional Policy Statement 2016,
- b. Operative Far North District Plan 2009,
- c. Proposed Far North District Plan 2022

The activity is consistent with these documents for the reasons set out in pages 12-24 of the Assessment of Environmental Effects submitted with the application. In particular:

Northland Regional Policy Statement 2016

The Northland Regional Policy Statement provides a framework to promote the 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 Northland's natural and physical resources. In this instance the proposal is compatible with the intent of the Regional Policy Statement for Northland because it is not considered to be objectionable with the surrounding environment.

Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because:

The objectives and policies for the Residential zone aim to enable development of activities which are compatible with residential activity whilst protecting amenity values. These proposed allotments are to be developed for the purpose of a single residential unit on each allotment which is consistent with the existing character of the receiving environment.

The objectives and policies of the Subdivision chapter aim to provide for the subdivision of land in a manner that is consistent with the underlying zone and promotes the sustainable management of natural and physical resources. The subdivision has no adverse impacts on natural, ecological, landscape, amenity, cultural, or heritage values. It ensures safe vehicular access, considers natural hazards, and minimises visual impacts from utility services. Access and servicing are managed to avoid adverse effects on neighbouring properties and resources, and it does not affect significant indigenous vegetation or habitats. The activity does not require financial contributions or considerations of bonus development areas. It respects the relationship with Māori ancestral lands. Therefore, it is concluded that the activity meets the Objectives and Policies of the Subdivision chapter.

Proposed Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Proposed District Plan because:

The objectives and policies of the General Residential zone recognise the importance of higher density urban centres and associated infrastructure. As such, the objectives and policies aim to consolidate growth around urban centres to ensure efficient use and investment in infrastructure whilst providing for a variety of residential activities. These proposed allotments are to be developed for the purpose of a single residential unit on each allotment which is consistent with the existing character of the receiving environment.

Objectives	Assessment
------------	------------

SUB-O1	The activity achieves the objectives of the General Residential zone, overlays and district wide matters.
SUB-O2	The site does not contain any of the resource features listed in SUB-O2(b) nor does the site contain highly productive soils.
SUB-O3	Adequate infrastructure can be provided for all lots.
SUB-O4	Not applicable for this subdivision that does not adjoin any qualifying water bodies.
Policies	Assessment
SUB-P1	No boundary adjustment is proposed.
SUB-P2	Not relevant as the activity is not a subdivision for the purpose of public works, infrastructure, reserves or access.
SUB-P3	The additional allotment is consistent with this policy, subject to meeting conditions of consent.
SUB-P4	The activity will comply with the rules within the sections outlined in this Policy which have immediate legal effect.
SUB-P5	The proposed allotments are sized and shaped to enable all the existing and future developments to meet the amenity-based and accessibility-based development control standards.
SUB-P6	Adequate infrastructure can be provided for all lots.
SUB-P7	Not relevant as the property does not adjoin any qualifying waterbodies.
SUB-P8	The subject site is not in the Rural Production zone. As such, this Policy is not relevant to the activity.
SUB-P9	Not relevant as the subject site is not within the Rural Production zone, nor the Rural Lifestyle zone.
SUB-P10	Not applicable as the subdivided lots do not include any minor residential units.
SUB-P11	Taking into account the assessment above, the activity is consistent with this Policy.

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

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

6. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical

access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.

7. 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.
8. 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 Aroha Chase, 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.



Nick Williamson

Date: 01/09/2025

Team Leader – Resource Consents

Hillcrest Road

APPROVED PLAN

Planner: achase
RC: 2250293-RMACOM
Date: 01/09/2025

Lot 1
DP 172572

Pt Lot 10
DP 13511

EXISTING EASEMENT

PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(A)	LOT 2 HEREON	D307233.4

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(A) (B)	LOT 2 HEREON	LOTS 1 & 3 HEREON

Lot 8
DP 13511

Lot 1
480m²

Existing Dwelling
to be Removed

Lot 2
662m²

Lot 3
480m²

Lot 2
DP 12946

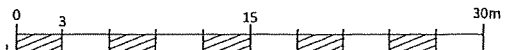
THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD
AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY
TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council
Comprised in: NA106A/142
Total Area: 1622m²
Zoning: Residential
Resource features: NIL

Lot 1
DP 70905

Lot 2
DP 70905

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.



Bar Scale 1:300 @ A3



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www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

**PROPOSED SUBDIVISION OF
LOT 2 DP 172752**
21 HILLCREST ROAD, KAIKOHE
PREPARED FOR: L. KNOX-WHYTE

Name	Date	ORIGINAL	SHEET
Survey		SCALE	SIZE
Design		1:300	A3
Drawn	KY 02.07.24		
Approved			
Rev			
10656 Scheme			

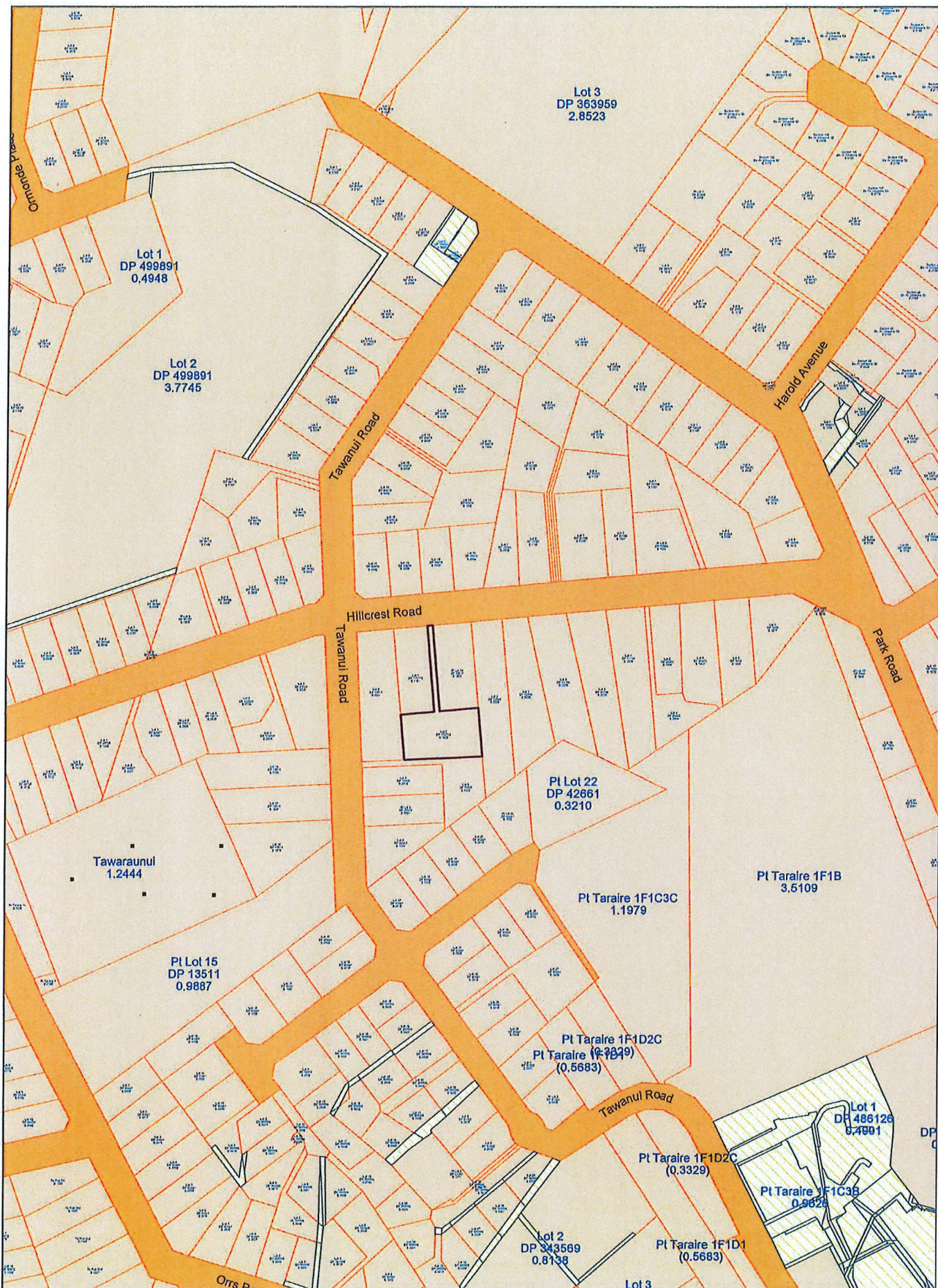
Surveyors
Ref. No:

10656

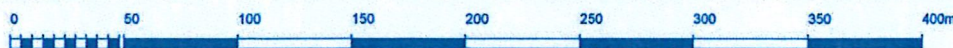
Sheet 1 of 1

Appendix 2

Location Map



QuickMap
Custom Software Ltd



Any person wishing to rely on the information shown on this map must independently verify the information

Scale 1:3000

Topographical and Cadastral map derived from LINZ data. Printed: 12-Nov-2024 02:44.

Appendix 3

Record of Title



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




R.W. Muir
Registrar-General
of Land

Identifier **NA106A/142**
Land Registration District **North Auckland**
Date Issued 02 September 1998

Prior References
NA30C/324

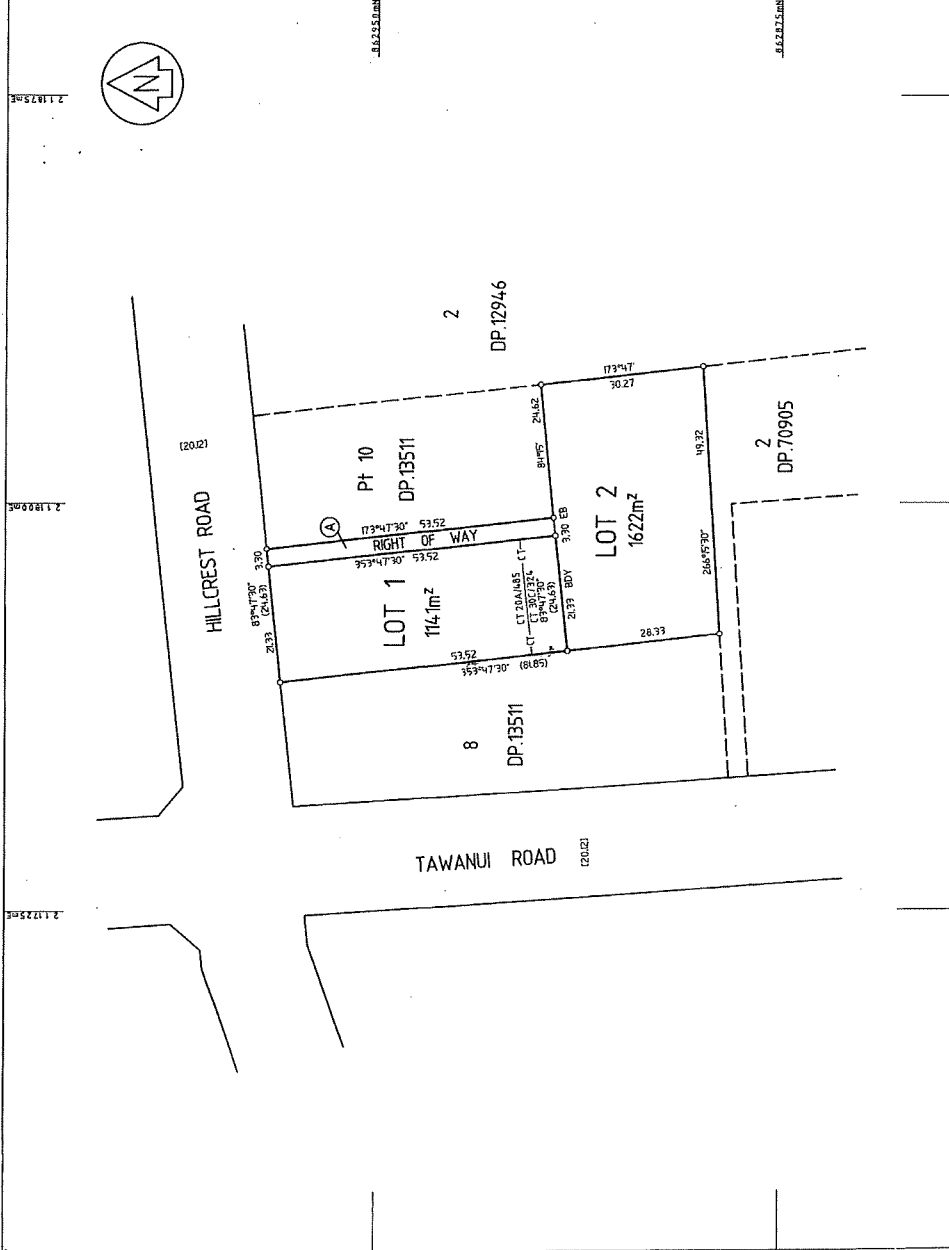
Estate Fee Simple
Area 1622 square metres more or less
Legal Description Lot 2 Deposited Plan 172752
Registered Owners
Neo Family Trustee Company Limited

Interests

Subject to a right of way over part marked A on DP 172752 specified in Easement Certificate D307233.4 - 2.9.1998 at 11.08 am

The easements specified in Easement Certificate D307233.4 are subject to Section 243 (a) Resource Management Act 1991

<p>APPROVED <i>[Signature]</i> <i>[Signature]</i></p> <p>U. M. Shaw Registered Owners</p> <p>A. V. Shaw Registered Owners</p> <p>Approved pursuant to Section 223 of the Resource Management Act 1991, the following subdivision is hereby approved, subject to the terms and conditions of the Memorandum and the Memorandum hereon.</p> <p>The Common Seal of the Far North District Council is affixed hereon in accordance with the provisions of the Act.</p> <p><i>[Seal of Far North District Council]</i></p> <p>THE CHAIRMAN OF THE DISTRICT COUNCIL</p> <p><i>[Signature]</i> Local Designated Surveyor</p>		<p>APPROVALS ROADS SHOWN ARE LEGAL</p>													
<p>MEMORANDUM OF EASEMENTS</p> <table border="1"> <tr> <th>PURPOSE</th> <th>SHOWN</th> <th>SERIENT</th> <th>DOMINANT</th> </tr> <tr> <td>RIGHT OF WAY</td> <td>(A)</td> <td>LOT 2</td> <td>LOT 1</td> </tr> <tr> <td></td> <td></td> <td>Hereon</td> <td>Hereon</td> </tr> </table>		PURPOSE	SHOWN	SERIENT	DOMINANT	RIGHT OF WAY	(A)	LOT 2	LOT 1			Hereon	Hereon	<p>NEW C's T. ALLOCATED</p> <p>LOT 1 106A/114 LOT 2 106A/112</p> <p>Total Area 2763m²</p> <p>Comprised in</p> <p>C.T. 20A/485 (4th & 30C/724 (4th</p> <p>MURRAY ROBERTSON SURVEY</p> <p>Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 223 of the Resource Management Act 1991, the following subdivision is hereby approved, subject to the terms and conditions of the Memorandum and the Memorandum hereon. The survey is correct and has been made in accordance with the Survey Act 1980 and the provisions of the Act. The survey was made on the 10th day of JANUARY 1995.</p> <p><i>[Signature]</i> Surveyor</p>	
PURPOSE	SHOWN	SERIENT	DOMINANT												
RIGHT OF WAY	(A)	LOT 2	LOT 1												
		Hereon	Hereon												
<p>PAID Book</p> <p>Reference Plus</p> <p><i>[Signature]</i> Surveyor</p> <p>Approved as to Survey</p> <p>27.2.96</p> <p>Deposited this 2nd day of FEB 1996</p> <p>District Land Registrar</p> <p>Received 16 FEB 1996</p> <p>DP 74620</p>		<p>TERMINAL AUTHORITY - FAR NORTH DISTRICT</p> <p>Surveyed by <i>[Signature]</i> Fraser Thomas</p> <p>Scale 1:500 Date DEC 1995</p>													
<p>LAND DISTRICT NORTH AUCKLAND</p> <p>SURVEY BLK. & DIST. XV OMAREPE</p> <p>NZMS 261 SHT</p> <p>RECORD MAP No. 10600E</p>		<p>LOTS 1 & 2 BEING SUBDIVISION OF</p> <p>LOT 1 D.P. 63697 & LOT 1 D.P. 74620</p>													



17 SEP 1998