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# PLANNING REPORT

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*PROPOSED VARIATION TO RC 2240516 - SEC 127 RMA*

*L. & M. GRAY*

*124, 128 & 130 MARSDEN ROAD, PAIHIA*

Date: 12 March 2025

Reference: 8425



**CSNZ** | THE CONSULTING  
SURVEYORS  
OF NEW ZEALAND  
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## INTRODUCTION

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The applicants own Lot 2 DP 190355 and Lot 17 DP 15984 and have resource consent for a boundary adjustment with their neighbour (Lot 1 DP 190355), approved under RC 2240516. They are requesting a variation to correct shortcomings in the amalgamation process pursuant to Sections 58 and 59 of the Unit Titles Act 2010.

The following report remains relevant and is a copy of the original application report, with minor text deletions to remove the request for an amalgamation condition (see page 15), which Land Information NZ has identified as incorrect.

Proposed amendments to the resource consent conditions pursuant to Section 127 RMA 1991 are necessary as follows.

## SECTION 127 RMA

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Proposed consent condition amendments.

### Conditions

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

**1.a** *The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Donaldson's Surveyors Limited, referenced Proposed boundary adjustment between Lot 2 DP 190355 and Lot 17 DP 15984. Proposed cancellation of easements over Lots 17 & 18 DP 15984, dated May 2024 March 2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.*

**1.b** *The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Donaldson's Surveyors Limited, referenced Unit Plan in Substitution under Section 59(1) Unit Titles Act 2010 Being Units on Lot 1 DP 190355 & Lot 2 DP 607369, dated 27/02/2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.*

### Survey plan approval (s223 RMA) conditions

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

**a.** *All easements in the memorandum to be duly granted or reserved.*

**2.** *The survey plan, submitted for approval pursuant to Section 59(1) Unit Titles Act 2010 shall show:*

**b.** *A Unit Plan in substitution showing existing Lot 1 DP 190356 and proposed Lot 2.*

**b.** *The endorsement of the following conditional amalgamation, pursuant to Section 220(1)(b)(ii) Resource Management Act 1991 subject to it being expressed on the survey plan as follows:*

*That Lot 2 be transferred to and held by the owner of Lot 1 DP 190355 by covenant pursuant to Section 220(2)(a) RMA 1991.*

*LINZ Reference number: 1913533*

## ORIGINAL PLANNING REPORT

The applicants intend to build over existing Lot 2 DP 190355 and Lot 17 DP 15984, and to legalise this the subdivision proposal relinquishes one title, combining those areas to create proposed Lot 1, while amalgamating proposed Lot 2 with Lot 1 DP 190355.

Current situation:

Lot 2 DP-190355 = 2076m<sup>2</sup> (NA120B/600)  
 Lot 17 DP-15984 = 1831m<sup>2</sup> (NA425/151)

Proposed outcome:

Lot 1 = 3720m<sup>2</sup>

Lot 1 DP 190355 = 2002m<sup>2</sup> (NA120B/629)

Lot 1 DP 190355 + Lot 2 = 2187m<sup>2</sup>

The subject properties are zoned Commercial under the Operative District Plan, and Mixed Use under the Proposed District Plan. The application is presented as a controlled activity that upholds the fast track consent process 87AAC(a) RMA.

The applicant additionally seeks consent to cancel existing easements over Lot 2 DP 190355, Lot 17 DP 15984, and Lot 18 DP 15984 pursuant to Section 243(a) RMA.

## SITE DESCRIPTION

The application site legal reference:

Estate	Lot Number Deposited Plan	Area	Proprietor	Record of Title
Fee Simple	Lot 17 DP-15984	1831m <sup>2</sup>	L. S. & M. F. Gray	NA425/151
Fee Simple	Lot 2 DP-190355	2076m <sup>2</sup>	L. S. & M. F. Gray	NA120B/600
Unit Title	Lot 1 DP 190355	2002m <sup>2</sup>	Chin Yun Holdings Limited	NA120B/629

The sites are located at 120 & 124 Marsden Road (State Highway 11) Paihia.

Lot 1 DP 190355 occupies the Paihia Beach Resort & Spa.

Lot 17 DP 548625 and Lot 2 DP 190355 are vacant. The southern extent of these lots is steep, north facing, and covered in bush. Adjoining Lot 18 DP 548625 has a new dwelling in the process of construction.

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## OPERATIVE DISTRICT PLAN

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The property is located within the Commercial zone and is not influenced by any Resource overlays as described on Map 36 under the Operative District Plan.

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### SUBDIVISION

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#### Boundary Adjustments

#### 13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES

#### Boundary Adjustments Performance Standards

*Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:*

(a)

*There is no change in the number and location of any access to the lots involved;*

**There are currently 3 approved entrances and on subdivision 3 entrances would remain;**

**Lot 17 DP 15984 has an existing entrance that would be upgraded to service Lot 1.**

**Lot 2 DP 190355 has an existing entrance that would be upgraded to service Lot 2 (Paihia Beach Resort Lot 1 DP 190355). The existing entrance currently serving Lot 1 DP 190355 would remain in place to continue serving the burdened lot (Lot 18 DP 15984).**

**Overall, there is no change to the number or location of entrances.**

(b)

*There is no increase in the number of lots;*

**There is a decrease by one title.**

(c)

*The area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment;*

**The boundary adjustment actions a minor change of area at just 185m<sup>2</sup>. The affected lots continue to comply with the commercial zone minimum lot size (250m<sup>2</sup> controlled).**

(d)

*The area affected by the boundary adjustment is within or contiguous with the area of the original lots;*

**The areas remain contiguous with that of the current boundary layout.**

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(e)  
*All boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal);*

**The adjusted boundary complies with all permitted land use rules.**

(f)  
*All existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.*

**The proposal complies.**

**ALLOTMENT DIMENSIONS**

(Buildable Area)

Zone	Minimum Dimension
Commercial	N/A

**ASSESSMENT CRITERIA**

**Property Access**

In this commercial zone, according to Rule 15.1.6A.1, 200 one-way traffic movements are permitted. Additionally, Appendix 3A (FNDP) outlines traffic movement allocations for a Tourist Hotel at 2 movements per room. However, the resort resource consent imposes stricter limits, allowing only 16 onsite carparks, which defines the calculation for actual traffic movements into the site. Therefore, the total traffic movements from the resort equate to 32 (16 carparks x 2 movements per room).

Additionally, the resource consent requires a valet parking arrangement, and drivers will be made aware of the one way system when they make a booking. Guests are to drive into the site via the entrance and stop at the building underground park where the valet parking then occurs. Guests do not need to park their vehicles.

The resort manages signage independently, without requiring council intervention. Should customers express dissatisfaction with access signage, it is in the resort's best interest to address any concerns promptly and make improvements as necessary.

The resort resource consent requires the worker to commute to and from work via daily shuttle, which are assumed to be 4 per day. Additionally, all other delivery vehicles, such as taxis, food and beverage deliveries, and cleaning services, utilise Davis Crescent.

The access is not for the general public, it is for guests only.

Considering these factors, the total number of movements remains well within the allowance of 200 as stipulated by rules.

Delivery trucks are unable to utilize the entrance due to its one-way system and height restrictions. Instead, truck deliveries are directed to Davis Crescent, where manual unloading of items takes place.

Given the minimal traffic volume entering the site, there is no issue with vehicles turning right across Marsden Road. Additionally, a substantial public parking area exists on the Marsden Road roadside, where vehicles frequently reverse out, resulting in familiar traffic flow interruptions for local commuters. Therefore, the ingress of vehicles into the resort would not significantly exacerbate existing congestion. Moreover, unobstructed visibility of the playground and footpath ensures that potential obstructions are unlikely to arise.

## TRANSPORTATION

### 15.1 TRAFFIC, PARKING AND ACCESS

#### 15.1.6A.2 PERMITTED ACTIVITIES

##### 15.1.6A.2.1 TRAFFIC INTENSITY

*The Traffic Intensity Factor for a site in this zone is 200 daily one way movements.*

*The Traffic Intensity Factor is determined by reference to 15.1.6A TRAFFIC.*

*This rule only applies when establishing a new activity on a site. It does not apply to existing activities, however, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account when assessing new activities in order to address cumulative effects.*

*Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.*

As described there are 32 oneway traffic movements from accommodation activity.

Staff are required to commute to and from work via a shuttle service that reduces the overall traffic movements.

This is well below the allowable permitted.

Residential units are exempt.

Overall, no concern.

#### 15.1.6B PARKING

##### 15.1.6B.1 PERMITTED ACTIVITIES

###### 15.1.6B.1.1 ON-SITE CAR PARKING SPACES

Where:

*(i) an activity establishes; or*

*(ii) the nature of an activity changes; or*

*(ii) buildings are altered to increase the number of persons provided for on the site;*

All affected lots have ample area for parking.  
Paihia Resort has parking under the building.

The boundary adjustment does not compromise parking options on Lot 1.

Lot 1 and Lot 18 DP 15984 both result in more available land for parking because the existing Right of Way easements, shown A & B, would be cancelled.

*15.1.6B.1.2 - 15.1.6B.1.4 (being access onto Williams Road, Kerikeri Road & Accessible car parks)*  
Not applicable.

*15.1.6B.1.5 CAR PARKING SPACE STANDARDS*

Lot 1 is able to create onsite car parks and achieve safe manoeuvring compliant with dimension standards of Appendix 3D.

Based on Paihia Beach Resorts under-cover carparking arrangement and land use consent, the proposed boundary adjustment does not compromise those arrangements.

*15.1.6B.1.6 LOADING SPACES*

The boundary adjustment does not affect the approved loading arrangements.

*15.1.6C ACCESS*

*15.1.6C.1 PERMITTED ACTIVITIES*

*15.1.6C.1.1 Private accessways in all zones*

*(a) The construction of private accessway, in addition to the specifics also covered within this rule, is to be undertaken in accordance with Appendix 3B-1 in Part 4 of this Plan.*

*Appendix 3B-1 - Standards for private access*

Access to Lot 1 is directly off Marsden Road, and the future driveway would be standard width at 3m. Access to Lot 2 is an approved one-way system with direct entry from Marsden Road. NZTA has been consulted on both proposed entrance upgrades.

There are no grades over 1:4.

The entrance upgrades can form as consent conditions.

The lots have adequate provisions in place to comply with permitted access criteria.

*Appendix 3B-2 - Standards for Roads to vest.*

Not applicable.

*Appendix 3C - Parking spaces required.*



All lots are suitable to provide two parking spaces as required for a single residential unit.

Appendix 3D

Manoeuvring and parking space dimensions

*(90° regular user = width 2.5m (total depth one row 11.6m)*

There is no impact on parking to require assessment.

Appendix 3E

Tracking curves are shown on the entrance design plan, compliant with council engineering standards and guidelines.

15.1.6C.1.1

(a)

The access complies with Appendix 3B1 with all lots having more than 8m legal width.

The carriageway width in the commercial zone suits 3.0m for one household equivalent.

With regard to Paihia Beach Resort, this is an approved one-way system that suits a 3m carriageway width.

(b)

There are no grades steeper than 1:20 (commercial) adjacent the road boundary.

(c)

*A private accessway may serve a maximum of 8 household equivalents.*

8 household equivalents equate to 80 one-way traffic movements.

All lots contribute less than 8 household equivalents.

(d)

*Where a subdivision serves 9 or more sites, access shall be by public road.*

There is no road to vest.

(c) *The right to a reasonable contribution from other occupiers towards the cost of establishment, maintenance, upkeep, and repair of the driveway to an appropriate standard.*

The proposal cancels the Right of Way, so there would be no shared access and therefore would not need to be administered under the Property Law Act 1952 (Schedule 9).

(e) *Access shall not be permitted:*

(i) *onto a State Highway or a Limited Access Road;*

The entrances are already legally established, and NZTA have been consulted regarding proposed configuration.

*(ii) onto an arterial or collector road within 90m of its intersection with an arterial road or a collector road;*

Not applicable.

*(iii) onto an arterial or collector road within 30m of its intersection with a local road;*

The entrances are more than 30m from the intersection with Davis Crecent.

*(iv) onto a local road within 30m of its intersection with an arterial or collector road;*

The entrances are more than 30m from the intersection with Davis Crecent.

*(v) onto Kerikeri Road (both sides of the road along the portion between Maraenui Drive and Cannon Drive). This rule does not apply to sites with lawfully established access points (as at 6 September 2001) onto Kerikeri Road.*

Not applicable.

*(vi) onto Kerikeri Inlet Road from Lot 1 DP 404507 or Lot 1 DP 181291 (and any sites created as result of a subdivision of these lots), except from a single vehicle crossing or intersection at least 30m from the adjoining boundary with Lot 2 DP 103531 and with at least 115m visibility in each direction.*

Not applicable.

#### 15.1.6C.1.2 Private Accessways in urban zones

*(a)*

##### Urban zones

Not applicable to commercial zones.

(b) Private accessways in the Commercial and Industrial Zones shall comply with the following:

(i) One-way operation, excluding service stations.

*Note: A one-way operation is a 3m wide private accessway that provides entry to the site at one point and exit from the site at a different point.*

*The private accessway from the road to any parking or loading space shall:*

- *not less than 3m or more than 4m in width; and*

- *have a minimum overhead clearance of 4.2m*

All access arrangements, as a result of the subdivision, comply with these standards.

*(ii) Two-way operation, excluding service stations.*

*Note: A two-way operation is a 6m wide private accessway that provides entry and exit from the site at the same point.*

The private accessway from the road to any parking or loading space shall:

- *not less than 3m or more than 4m in width; and*
- *have a minimum overhead clearance of 4.2m.*

*The private accessway from the road to any parking or loading space shall:*

- *not be less than 6m or more than 7m in width; and*
- *have a minimum overhead clearance of 4.2m.*

Not applicable.

*(iii) Service stations*

The private accessway from the road to any parking or loading space shall:

- *have a maximum width for one-way and two-way operations of 9m; and*
- *have a minimum overhead clearance of 4.2m.*

Not applicable.

*(c)*

*All private accessways in all urban zones which serve two or more activities are to be sealed or concreted.*

The applicant proposes to construct the access carriageways in either concrete or two coat chip seal.

*15.1.6C.1.3 Passing bays on private accessways in all zones*

Passing bays are not required.

*15.1.6C.1.4 ACCESS OVER FOOTPATHS*

The following restrictions shall apply to vehicle access over footpaths:

- (a) no more than two crossings per site; and*

Each site is provided with one crossing.

The applicant has proposed to construct entrances to council engineering standards, ensuring pedestrian safety is prioritised. Given the existing footpath's confinement between the road edge and legal boundary, any adjustments to its alignment are not feasible. However, this setup minimises potential risks as only inbound traffic accesses the site. Unlike vehicles exiting a property, those

entering maintain visibility of the footpath at all times, reducing pedestrian hazards significantly. Hence, there are no apparent concerns arising from this arrangement.

*(b) the maximum width of a crossing shall be:*

*All activities; except service stations 6m*

*Service stations or supermarkets 9m*

Entrance construction to Lot 2, for Paihia Beach Resort, has a maximum 6m width to accommodate the higher traffic volume.

Entrance construction to Lot 1 has a maximum 4m width, suitable to accommodate a single residential unit that is intended for the site (*based on the applicant's future plans*).

The entrance across the footpath shall be in accordance with the NZTA Pedestrian planning and design guide.

#### **15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES**

*(a) Private access off roads in the rural and coastal zones, the vehicle crossing is to be constructed in accordance with Council's "Engineering Standards and Guidelines" (June 2004 - Revised 2009).*

Not applicable.

#### **15.1.6C.1.6 Vehicle Crossing Standards in Urban zones**

*(a) Private access off streets in the urban zones the vehicle crossing is to be constructed in accordance with Council's "Engineering Standards and Guidelines" (June 2004 - Revised 2009).*

Conditions of consent shall include that entrances be constructed in accordance with council engineering standards and guidelines May 2023.

*(b) Where the vehicle crossing serves two or more properties the vehicle crossing is to be widened to provide a double width vehicle crossing.*

The entrances are either for one-way traffic, or serve one property therefore no concern. The proposed resort entrance has been designed larger to facilitate entry and ensure safety.

#### **15.1.6C.1.7 General Access Standards**

*(a) Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road.*

The lots can safely manoeuvre vehicles onsite without needing to reverse onto legal road. The resort access under the building is height limited and does not support heavy vehicles. Heavy vehicles instead utilise Davis Crescent for deliveries.

*(b) All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle.*

The horizontal curves illustrate a 9m radius, which is more than suitable to uphold the accesses intended use by a standard motor vehicle, and that there is a height limitation as vehicles pass under the building.

The horizontal curve can achieve a 12m radius without interfering with the underground carparking. Overall, heavy rigid vehicles are unable to use the access therefore the corners and bends are compliant with the approved consent granted to the Resort.

*(c) Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed.*

No concern.

*(d) Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads.*

The access crosses land that is already formed with a metalled surface as an existing use situation, and stormwater associated with this is managed in a cesspit located near the parking entrance under Paihia Beach Resort.

#### *15.1.6C.1.8 Frontage to existing roads*

*(a) Where any proposed subdivision has frontage to a road or roads that do not meet the legal road width standards specified by the Council in its "Engineering Standards and Guidelines" (June 2004 - Revised 2009), road widening shall be vested in the name of the Council.*

Marsden Road is well formed and considered to uphold council engineering standards and guidelines. The applicant offers to repair and replace any damaged footpath within 1m of the crossing.

*(b) Where any proposed subdivision has frontage to a road or roads that are not constructed to the standards specified by the Council in its "Engineering Standards and Guidelines" (June 2004 - Revised 2009), then the applicant shall complete the required improvements.*

By law, consent conditions must be fair and reasonable. The applicant proposes a low impact boundary adjustment that should not trigger exorbitant conditions.

*(c) Where a site has more than one road frontage or frontage to a service lane or right-of-way (ROW) in addition to a road frontage, access to the site shall be in a place that:*

*(i) facilitates passing traffic, entering and exiting traffic, pedestrian traffic and the intended use of the site;*

Not applicable.

*(ii) is from the road or service lane or ROW that carries the lesser volume of traffic.*

Not applicable.

*(d) Where any proposed subdivision has frontage to a road on which the carriageway encroaches, or is close to the subject lot or lots, the encroachment or land shall vest in Council such that either the minimum berm width between the kerb or road edge and the boundary is 2m or the boundary is at least 6m from the centreline of the road whichever is the greater.*

No concern.

#### *15.1.6C.1.9 New Roads*

Not applicable.

#### *15.1.6C.1.10 Service lanes, cycle and pedestrian accessways*

Not applicable.

#### *15.1.6C.1.11 Road designations*

Not applicable.

The proposal is considered to uphold all permitted transportation standards.

#### **Hazards**

NRC Maps record the site as being subject to natural hazards.

Coastal erosion hazard zones 2 & 3.

Tsunami Evacuation zones.

The proposal does not cause any impact in this regard to require further assessment.

#### **Water Supply**

There is no change to the existing water supply arrangements.

#### **Stormwater**

There is no change to the stormwater disposal, and there is no increase in any impermeable surfaces. All existing impermeable surfaces have been lawfully established and therefore uphold existing use rights pursuant to Section 10 RMA. Similarly, the access over Lot 2 covers existing impermeable surface and therefore does not change stormwater discharge.

Both lots continue to uphold permitted impermeable surface coverage allowance for the commercial zone.

#### **Sewage**

The boundary adjustment does not compromise effluent disposal.

#### **Energy Supplies & Telecommunications**

There are no changes to electricity or telecommunication services, however there is one proposed easement to capture the actual location of the underground electricity cables (as described by area 'F').

#### **Easements - Land Covenants - Amalgamations**

Proposed easements included area 'F' for purpose of Rights to convey electricity & telecommunications.

There are several easements to be cancelled as listed on the scheme plan.

The applicant seeks consent to cancel easements under Section 243 RMA.

**Proposed amalgamation pursuant to Sections 58 & 59 Unit Titles Act 2010.**

***That Lot 2 be transferred as Common Area to the Unit Plan DP 190356 and that a new Unit Title Plan in substitution be deposited accordingly.***

~~*That Lot 2 be transferred to and held by the owner of Lot 1 DP 190355 by covenant pursuant to Section 220(2)(a) RMA 1991.*~~

The proposed boundary adjustment does not have any influence on the covenants.

There are no Section 221 RMA covenants proposed or affected by the boundary adjustment.

#### **Preservation**

There are no listed outstanding landscapes as shown in the Resource Overlays or under Appendix 1a-1g of the plan.

#### **Access to Reserves and Waterways**

Not applicable.

#### **Land Use Incompatibility**

The boundary adjustment does not cause any land use incompatibility.

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## **NATURAL AND PHYSICAL RESOURCES**

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There is no vegetation clearance and earthworks associated with forming the access are minor.

There is no adversity to the life supporting capacity of soil, eco-systems, water quality, or air.

There are no historic or cultural concerns.

## PROPOSED DISTRICT PLAN

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The properties are located in the Mixed Use zone, and are subject to overlays; natural hazards & high natural character.

The effects associated with the proposed boundary adjustment do not cause a direct impact on either of these overlays, therefore the proposed district plan has limited legal affect.

### SUBDIVISION

The following describes relevant subdivision objectives and policies.

#### Objectives

##### SUB-O1

Subdivision results in the efficient use of land, which:

- a) *achieves the objectives of each relevant zone, overlays and district wide provisions;*
- b) *contributes to the local character and sense of place;*
- c) *avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;*
- d) *avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;*
- e) *does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and*
- f) *manages adverse effects on the environment.*

#### Policies

##### SUB-P1

Enable boundary adjustments that:

- a) *do not alter:*
  - i) *the degree of non compliance with District Plan rules and standards;*
  - ii) *the number and location of any access; and*
  - iii) *the number of certificates of title; and*
- b) *are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.*

The proposal accords with relevant subdivision objectives and policies.

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**BOUNDARY ADJUSTMENTS  
SUB-R1**

**Standards**

SUB-S1 Minimum allotment sizes

Activity status: Controlled

<i>Mixed Use</i>	<i>250m<sup>2</sup> (reticulated)</i>
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SUB-S2 Requirements for building platforms for each allotment

<i>Commercial zone</i>	<i>Not applicable</i>
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**CON-1**

<i>SUB-1 Minimum allotment sizes for controlled activities, <u>except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased;</u></i>	Complies.
<i>SUB-2 Requirements for building platforms for each allotment</i>	Complies.
<i>SUB-3 Water supply</i>	As described under the proposed plan assessment.
<i>SUB-4 Stormwater management</i>	As described under the proposed plan assessment. Complies.
<i>SUB-5 Wastewater disposal</i>	As described under the proposed plan assessment.
<i>SUB-6 Telecommunications and power supply</i>	As described under the proposed plan assessment.
<i>SUB-7 Easements for any purpose</i>	As described under the proposed plan assessment.

**CON-2**

the boundary adjustment does not alter

<i>the ability of existing activities to continue to be permitted under the rules and standards in this District Plan;</i>	The existing activities uphold existing use rights pursuant to Section 10 RMA and the proposed boundary does not compromise those land use activities.
<i>the degree of non compliance with zone or district wide standards;</i>	There is no change to the degree of non-compliance with the zone or district wide standards.
<i>the number and location of any access</i>	There is no change in the number or location of any access.
<i>the number of certificates of title</i>	There is no increase in the number of titles.

**CON-3**

1. The boundary adjustment complies with standard:

**SUB -S8 Esplanades**

*Any subdivision involving the creation of one or more allotments less than 4ha which adjoins:*

<i>1 - The line of MHWS;</i>	N/A
<i>2 - The bank of a river whose bed has an average width of 3m or more;</i>	N/A
<i>3 - A lake that is larger than 8 ha in size</i>	N/A
<i>An esplanade reserve must be provided with a minimum width of 20m, in accordance with section 230 of the RMA.</i>	N/A

The proposal does not involve earthworks or vegetation clearance within the “high natural character overlay”.

In summary, the proposed boundary adjustment is considered to uphold the Controlled Activity standards of the proposed district plan.

## RESOURCE MANAGEMENT ACT 1991

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### FOURTH SCHEDULE - RMA

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**ASSESSMENT OF ENVIRONMENTAL EFFECTS**

There is no use of hazardous substances.

There is no discharge of contaminants.

The proposal does not increase adverse effects on the environment or contribute negatively to existing effects.

The proposal overall is considered to present less than minor effects or effects arguably nil.

The proposal is not considered contrary to Part 2 purpose and principles of the RMA, and is not affected by matters of national importance.

The proposal has no impact on Local Iwi or Hapu Management plans. There are no heritage concerns, and the proposal does not concern Section 104 RMA, having no impact on matters listed under the Regional Policy Statement.

There is no impact on amenity values as the land use activities already exist.

### CLAUSE 6

(1) An assessment of the activity's effects on the environment must include the following information:

(a) *if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

No concern.

(b) *an assessment of the actual or potential effects on the environment of the activity.*

No concern.

(c) *if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

(d) *if the activity includes the discharge of any contaminants, a description of -*

(i) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*

(ii) *any possible alternative methods of discharge, including discharge into any other receiving environment:*

Not applicable.

(e) *a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects:*

There are no issues to address.

(f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

All effects are considered less than minor not to require consultation.

- (g) *if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

No monitoring is necessary.

- (h) *if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

No concern.

- (2)  
*A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

This is covered under the heading 'Northland Regional Policy Statement' below.

## CLAUSE 7

### 7 Matters that must be addressed by assessment of environmental effects

- (1) *An assessment of an activity's effects on the environment must address the following matters:*

- (a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

The proposal is considered to promote the commercial zone guidelines and surrounding land use, without any unreasonable effects to concern the wider community including social and economic or cultural aspects.

- (b) *any physical effects on the locality, including any landscape, and visual effects.*

No concern.

- (c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The subdivision does not result in any habitat disturbance.

*(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:*

The values outlined are not depleted.

There is no influence on Fisheries.

*(e) any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:*

None.

*(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

To the best of our knowledge there are no concerns.

Overall, the proposal can occur without causing any significant effects contrary to the purpose and principles of the Resource Management Act 1991, and continues to respect social and economic wellbeing expectations of the commercial zone.

## NORTHLAND REGIONAL POLICY STATEMENT

The Northland Regional Policy Statement presents underlying environmental guidelines for the northland region.

### **PART 3: OBJECTIVES**

#### **3.4 Indigenous ecosystems and biodiversity**

*Safeguard Northland's ecological integrity by:*

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.*

There is no immediate risk to or impact on ecosystems.

#### **6.1.1 Policy - Regional and district plans**

*Regional and district plans shall:*

- (a) Only contain regulation if it is the most effective and efficient way of achieving resource management objective(s), taking into account the costs, benefits and risks;*
- (b) Be as consistent as possible;*
- (c) Be as simple as possible;*
- (d) Use or support good management practices;*

- (e) Minimise compliance costs and enable audited self-management where it is efficient and effective;  
(f) Enable subdivision, use and development that accords with the Regional Policy Statement; and  
(g) Focus on effects and where suitable use performance standards.

The subdivision activity is small-scale absent of any unreasonable adverse effects on the environment.

There is no impact on production land or versatile soils.

The proposal is not seen to clash with the Regional Policy Statement and therefore should be assessed under Resource Consent on an enabling basis.

Aspects outlined under the National Environmental Standards for Freshwater 2020 are considered to be upheld not to trigger the need for land use consent under the Northland Regional Plan. There are no known wetlands on the property.

## NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022

*Highly productive land is to be protected for use in land based primary production, both now and for future generations, and is to be recognised as a resource with finite characteristics and long term values for land based primary production.*

Not applicable.

## PROPOSED EASEMENT CANCELLATION PURSUANT TO SECTION 243 RMA

The applicant seeks consent to cancel the following conditional easements pursuant to Section 243 RMA. The easements are in favour of Lot 1 DP 190355 and Top Energy Ltd.

1) Easement Instrument D435872.3

This instrument created easements for supply of 'power' and vehicle 'Rights of Way', over area 'C' on Lot 2 DP 190355.

As a consequence of the proposed boundary adjustment, neither of these legal rights are required; instead, the area of proposed Lot 2 takes ownership of that land, and hereon is held in the same ownership as Lot 1 DP 190355 (current benefited lot).

2) Easement Instrument D435872.5

This instrument created easements for the supply of 'power' over 'A, B, D & E' on DP 190355, and vehicle 'Rights of Way', over areas 'A & B'.

Power supply

The existing power supply was recently traced, and existing easements shown 'D & E' on DP 190355, does not capture the underground power cable. It is proposed therefore to cancel the easement, and recreate a new one, as defined by area 'F', capturing the cable trace position.

### Right of Way

As a consequence of the proposed boundary adjustment, the 'Right of Way' over the other properties is no longer required; instead, the area of proposed Lot 2 provides a new point of access that directly adjoins Lot 1 DP 190355 (current benefited lot).

### 3) Easement Instrument D435872.2

This instrument was created in favour of Top Energy Ltd as a Gross easement that covered a transformer. The transformer has since be relocated onto Davis Crescent and therefore the easement is no longer required. Top Energy has been consulted and support the proposed cancellation.

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## CONCLUSION

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The proposed boundary adjustment presents a low impact activity with no measurable adverse effects.

The proposed variation to the resource consent clarifies the correct amalgamation method, as requested by Land Information NZ, in accordance with Section 59 of the Unit Titles Act 2010. This amendment is purely technical and has no physical effects.

The application is recommended for approval.



Micah Donaldson  
MNZIS - Assoc. NZPI

**DONALDSONS**

Land / Engineering Surveyors and Development Planners





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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **NA120B/600**  
**Land Registration District** **North Auckland**  
**Date Issued** 01 October 1999

**Prior References**  
NA484/229

---

**Estate** Fee Simple  
**Area** 2076 square metres more or less  
**Legal Description** Lot 2 Deposited Plan 190355

**Registered Owners**

Melita Fay Gray as to a 1/2 share  
Lindsay Stuart Gray as to a 1/2 share

---

**Interests**

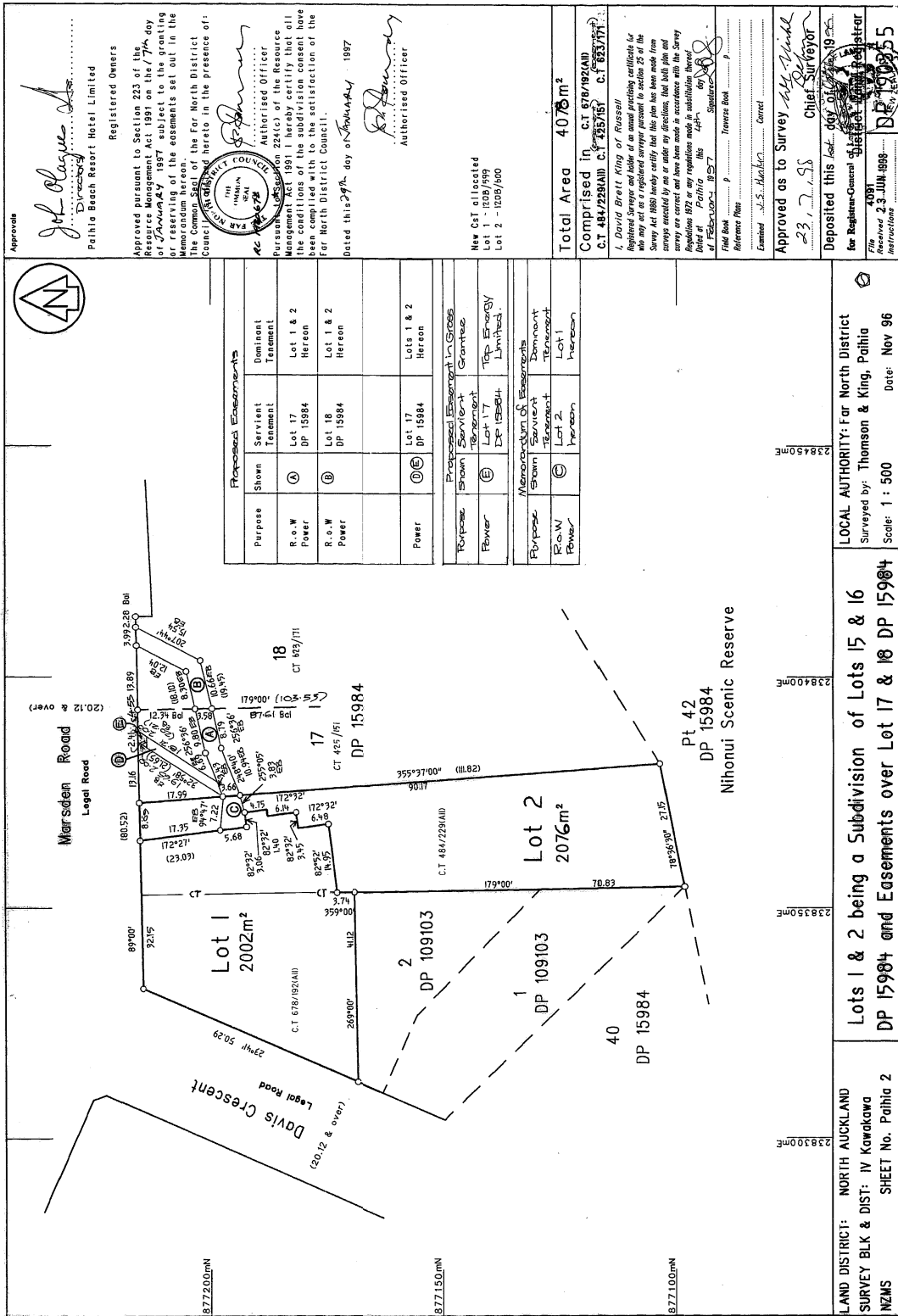
Fencing Agreement in Transfer 227525

Subject to a right of way and to a power right over part marked C on DP 190355 specified in Easement Certificate D435872.3 - 1.10.1999

The easements specified in Easement Certificate D435872.3 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto are rights of way and power rights created by Transfer D435872.5 - 1.10.1999





Approved  
*John Blasius*  
 Director  
 Paitia Beach Resort Hotel Limited  
 Registered Owners

Approved pursuant to Section 223 of the Resource Management Act 1991 on the 17th day of JANUARY 1997 subject to the granting of the easements set out in this Memorandum of Consent and the Common Seal of the For North District Council.

*[Signature]*  
 Authorised Officer

Pursuant to Section 224(c) of the Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the For North District Council.

Dated this 27th day of JANUARY 1997

*[Signature]*  
 Authorised Officer

New Cat allocated  
 Lot 1 - 1208/599  
 Lot 2 - 1208/600

Total Area 4078m<sup>2</sup>  
 Comprised in C.T. 678/192(AU)  
 C.T. 484/228(AU) C.T. 425/151 C.T. 633/171

I, David Brett King of Russell, do hereby certify that this plan has been made from surveys executed by me or under my directions, that both the plan and the surveys are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Paitia this 24th day of JANUARY 1997

*[Signature]*  
 Surveyor

Examined *[Signature]*  
 Approved as to Survey *[Signature]*  
 Chief Surveyor

Deposited this 17th day of JAN 1997

For Registrar-General of Land *[Signature]*  
 Registrar

File 4091  
 Received 23 JUN 1998  
 Instructions DP 15984/55

8 OCT 1999

LAND DISTRICT: NORTH AUCKLAND  
 SURVEY BLK & DIST: IV Kawakawa  
 NZMS SHEET No. Paitia 2

LOCAL AUTHORITY: For North District  
 Surveyed by: Thomson & King, Paitia  
 Scale: 1 : 500 Date: Nov 96

238330mE 238350mE 238400mE 238450mE

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

# Quickmap Title Details



Information last updated as at 23-Feb-2025

## RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

**Identifier** NA120B/600

**Land Registration District** North Auckland

**Date Issued** 01 October 1999

### Prior References

NA484/229

---

**Type** Fee Simple  
**Area** 2076 square metres more or less  
**Legal Description** Lot 2 Deposited Plan 190355

### Registered Owners

Melita Fay Gray as to a 1/2 share  
Lindsay Stuart Gray as to a 1/2 share

---

Fencing Agreement in Transfer 227525

Subject to a right of way and to a power right over part marked C on DP 190355 specified in Easement Certificate D435872.3 - 1.10.1999

The easements specified in Easement Certificate D435872.3 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto are rights of way and power rights created by Transfer D435872.5 - 1.10.1999

13137199.1 CERTIFICATE PURSUANT TO SECTION 77 BUILDING ACT 2004 THAT THIS RECORD OF TITLE IS SUBJECT TO THE CONDITION IMPOSED UNDER SECTION 75(2) (ALSO AFFECTS NA425/151 ) - 17.10.2024 at 7:00 am

*The information provided on this report forms a guideline only. As a result, Custom Software Limited cannot and does not provide any warranties or assurances of any kind in relation to the accuracy of the information provided through this report, the Site and Service. Custom Software Limited will not be liable for any claims in relation to the content of this report, the site and this service.*

# QuickMap Title Preview



Information last updated as at 23-Feb-2025

## SUPPLEMENTARY RECORD SHEET DERIVED FROM LAND INFORMATION NEW ZEALAND

**Identifier** NA120B/629

**Land Registration District** North Auckland

**Date Issued** 01 October 1999

**Plan Number** DP 190356

**Prior References**

NA120B/599

**Unit Titles Issued**

NA120B/601	NA120B/602	NA120B/603	NA120B/604	NA120B/605	NA120B/606	NA120B/607
NA120B/608	NA120B/609	NA120B/610	NA120B/611	NA120B/612	NA120B/613	NA120B/614
NA120B/615	NA120B/616	NA120B/617	NA120B/618	NA120B/619	NA120B/620	NA120B/621
NA120B/622	NA120B/623	NA120B/624	NA120B/625	NA120B/626	NA120B/627	NA120B/628

OWNERSHIP OF COMMON PROPERTY \\Pursuant to Section 47 Unit Titles Act 2010 - \\(a) the body corporate owns the common property and \\(b) the owners of all the units are beneficially entitled to the common property as tenants in common in shares proportional to the ownership interest (or proposed ownership interest) in respect of their respective units. \\The above memorial has been added to Supplementary Record Sheets issued under the Unit Titles Act 1972 to give effect to Section 47 of the Unit Titles Act 2010.

Fencing Agreement in Transfer 227525 (affects part)

Fencing Agreement in Transfer 279075 (affects part)

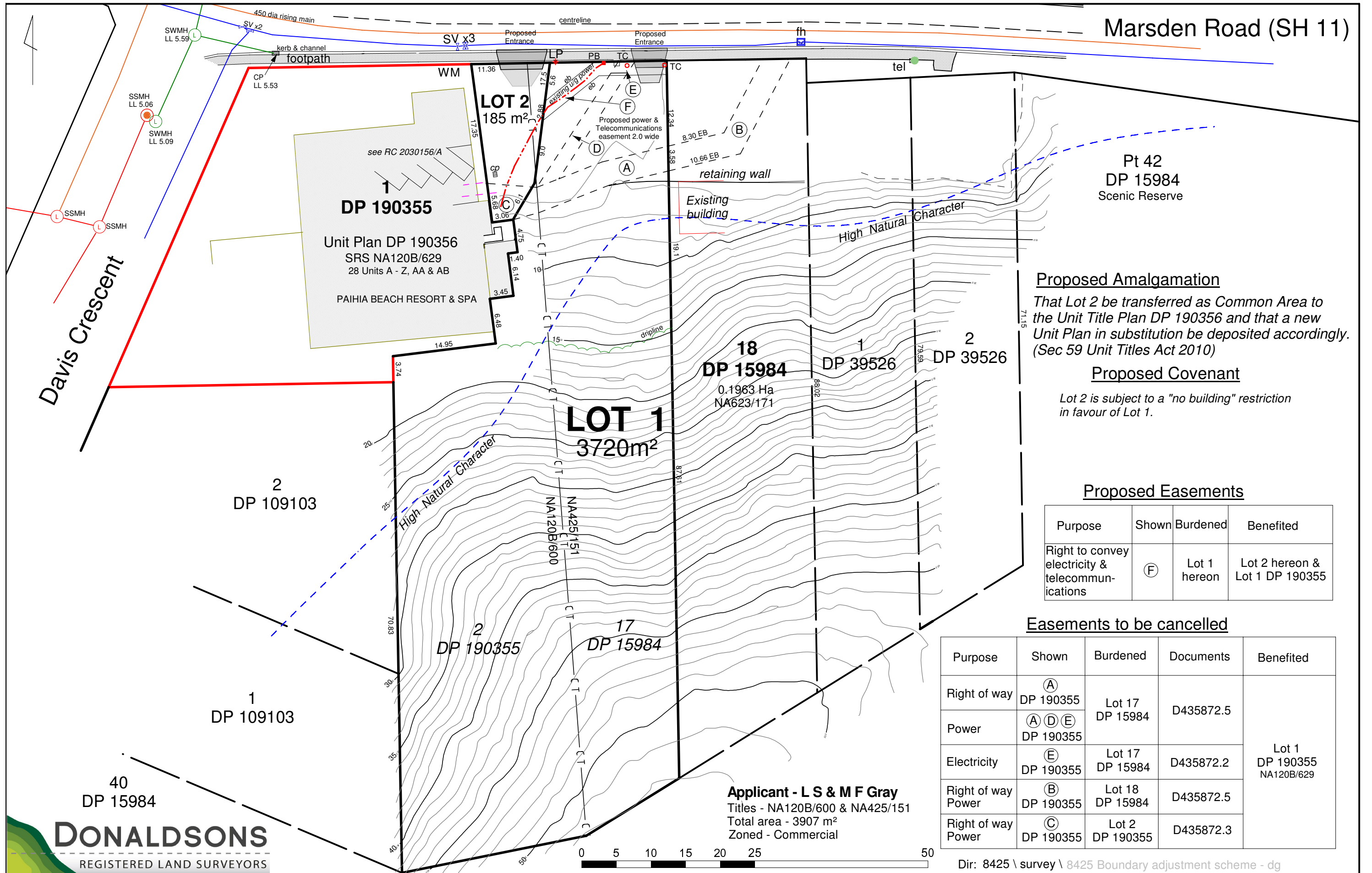
C624474.2 Bond pursuant to Section 108(2)(b) Resource Management Act 1991 - 11.7.1994 at 12.03 pm (affects part formerly CT NA678/192)

Appurtenant hereto is a right of way and a power right specified in Easement Certificate D435872.3

The easements specified in Easement Certificate D435872.3 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto are rights of way and power rights created by Transfer D435872.5

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Marsden Road (SH 11)

Davis Crescent

Pt 42  
DP 15984  
Scenic Reserve

**Proposed Amalgamation**  
That Lot 2 be transferred as Common Area to the Unit Title Plan DP 190356 and that a new Unit Plan in substitution be deposited accordingly. (Sec 59 Unit Titles Act 2010)

**Proposed Covenant**

Lot 2 is subject to a "no building" restriction in favour of Lot 1.

**Proposed Easements**

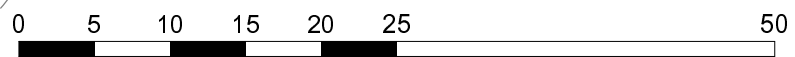
Purpose	Shown	Burdened	Benefited
Right to convey electricity & telecommunications	(F)	Lot 1 hereon	Lot 2 hereon & Lot 1 DP 190355

**Easements to be cancelled**

Purpose	Shown	Burdened	Documents	Benefited
Right of way	(A) DP 190355	Lot 17 DP 15984	D435872.5	Lot 1 DP 190355 NA120B/629
Power	(A) (D) (E) DP 190355			
Electricity	(E) DP 190355	Lot 17 DP 15984	D435872.2	
Right of way Power	(B) DP 190355	Lot 18 DP 15984	D435872.5	
Right of way Power	(C) DP 190355	Lot 2 DP 190355	D435872.3	

**Applicant - L S & M F Gray**  
Titles - NA120B/600 & NA425/151  
Total area - 3907 m<sup>2</sup>  
Zoned - Commercial

**DONALDSONS**  
REGISTERED LAND SURVEYORS



Dir: 8425 \ survey \ 8425 Boundary adjustment scheme - dg

**Proposed boundary adjustment between Lot 2 DP 190355 and Lot 17 DP 15984.  
Proposed cancellation of easements over Lots 17 & 18 DP 15984.**

Contour interval : 1 metre  
Scale @ A3 : 1:500  
Date : March 2025  
Variation to RC 2240516  
Ref 8425



# Title Plan - LT 190356

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**Survey Number** LT 190356  
**Surveyor Reference** 8425 Gray  
**Surveyor** Robert John Donaldson  
**Survey Firm** Donaldsons  
**Surveyor Declaration**

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## Survey Details

**Dataset Description** Unit Plan in Substitution under Section 59(1) Unit titles Act 2010 Being Units on Lot 1 DP 190355 & Lot 2 DP 607369

**Status** Initiated

**Land District** North Auckland **Survey Class** Class A

**Submitted Date** **Survey Approval Date**  
**Deposit Date**

---

## Territorial Authorities

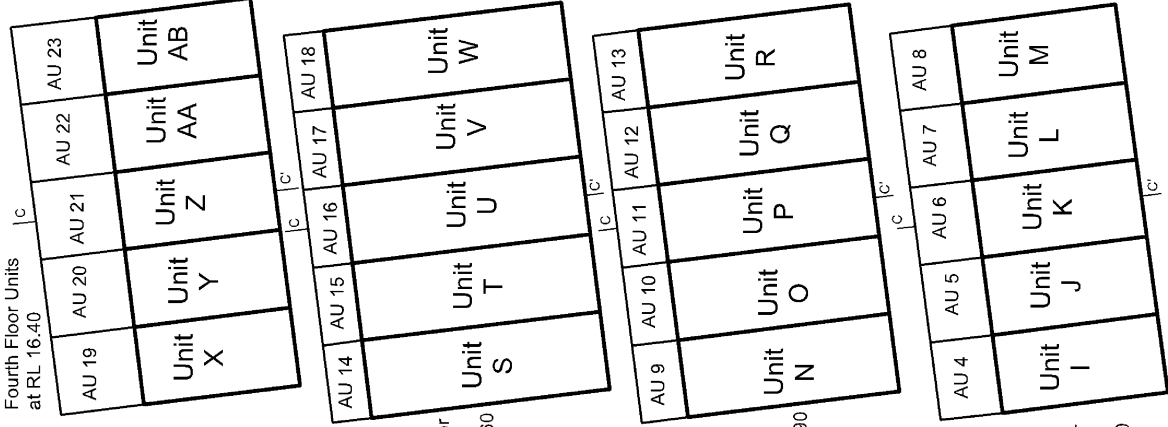
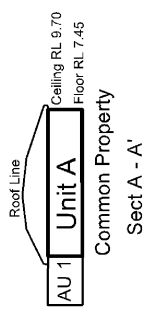
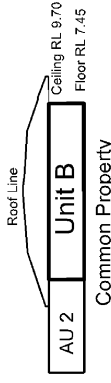
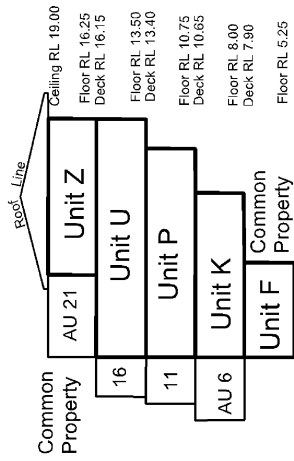
Far North District

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## Comprised In

RT NA120B/629

RM VII SO 47999 (SO 62388)  
RL 5.48



Third Floor Units at RL 13.60

Second Floor Units at RL 10.90

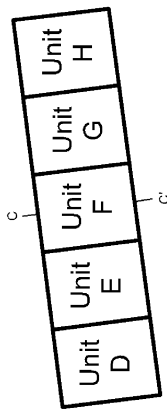
First Floor Units at RL 8.10

Marsden Road  
Legal Road - 20.12 wide & over

Davis Crescent  
Legal Road - 20.12 wide

Lot 2  
DP 607369  
Common Property

Lot 1  
DP 190355  
Common Property



- Notes:
- 1) Units traced from DP 190356 dated April 1996.
  - 2) Boundaries of Principal Units are the exterior faces of walls of building and centre of internal walls unless otherwise shown.
  - 3) Levels are in terms of (MSL) One Tree Point 1964 - Origin Datum RM VII SO 47999 RL = 5.48 (SO 62388) Bearing and coordinate datum Geodetic 1949

Ref: 8425  
Scale @ A3 : 1:300  
Date : 27/02/2025

Unit Plan in Substitution under Section 59(1) Unit titles Act 2010  
Being Units on Lot 1 DP 190355 & Lot 2 DP 607369

**DONALDSONS**  
REGISTERED LAND SURVEYORS

**DP 190356**

20 December 2024

Emma Jane Thompson  
Law North Limited (Kerikeri)  
Private Bag 1001  
Kerikeri 0245

Client Ref: 21042.4 (Gray Subdvn)

### **Land Transfer Act 2017: *e-dealing* Notice of Requisition**

**Dealing Id:** 13095128

Record of Title(s) affected:

1197449 North Auckland  
1197450 North Auckland  
NA120B/600 North Auckland  
NA120B/629 North Auckland  
NA425/151 North Auckland  
NA623/171 North Auckland

The above dealing has been placed on requisition pursuant to Section 37(1)(b) of the Land Transfer Act 2017 for the following reasons:

#### **Requisition Reasons:**

13095128.1 Instrument incomplete - Have the following completed; Unit title NA120B/600 - a copy of the special resolution and consents under s 109(4) Land Transfer Act 2017 and s 112(4) Land Transfer Act 2017 are required, Change the grantee and legal descriptions to reflect the body corporate

13095128.2 Instrument incomplete - Have the following completed; Unit title NA120B/600 - a copy of the special resolution and consents under s 109(4) Land Transfer Act 2017 and s 112(4) Land Transfer Act 2017 are required, Change grantee and legal descriptions to reflect the body corporate

13095128.4 Subdivision requirements - Have the Territorial Authority reconcile the 223 Certificate to remove the amalgamation condition/ covenant wording as this is not practicable. Lot 1 DP 190355 is in abeyance while the unit development is in existence, it is incapable of being dealt with while the unit development is live. See Section 50(c) of the Unit Titles Act 2010.



13095128.4 Subdivision Requirements - Please have reference to amalgamation condition removed from the schedule. The Surveyor should do this by creating an e-survey request type Survey\_Approved CSD Correction/ Amendment which they can create from within Landonline.

13095128.9 Registration prevented - Please submit a withdraw instrument request in Landonline upon resubmission of the dealing to have this removed.

Contact Information - For clarification of the reasoning of any items on this notice, please submit a clarification/ correspondence request through your LOL workspace.

The time for complying with this notice is by the 26 February 2025 being **40 working days** after the date of this notice. After that date fees may be forfeited under Section 37(6) of the Land Transfer Act 2017.

Once the appropriate documents have been corrected in the Landonline workspace, please resubmit the *e-dealing*.

If you require clarification of the item(s) in this notice, you can speak to the staff member who is managing the registration of your dealing using the following methods:

- Calling 0800 ONLINE (0800 665 463)
- Submitting a Titles\_Requisition\_Rejection Clarification request from within Landonline.

Kaiārahi/ Leader - Delivery  
for Registrar-General of Land

Hamilton Office, Land Information NZ  
65 Bryce Street  
Private Bag 3028  
Waikato Mail Centre  
Hamilton 3204  
New Zealand  
Tel 0800 ONLINE (665463)  
Fax 64-7-858 5488  
Internet <http://www.linz.govt.nz>

# 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 Schedule 4). 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
- Consent under National Environmental Standard  
(e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) \_\_\_\_\_
- Discharge
- Change of Consent Notice (s.221(3))
- Extension of time (s.125)

\* *The fast track is for simple land use consents and is restricted to consents with a controlled activity status.*

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

Yes  No

## 4. 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](mailto:tehonosupport@fndc.govt.nz)

## 5. Applicant Details

**Name/s:**

**Email:**

**Phone number:**

Work

Home

**Postal address:**

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

Postcode

## 6. Address for Correspondence

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

**Name/s:**

**Email:**

**Phone number:**

Work

Home

**Postal address:**

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

Postcode

*\* All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.*

## 7. 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:**

Postcode

## 8. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

**Postcode**

**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.

## 9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

If this is an application for a 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), with reasons for requesting them.

## 10. Would you like to request Public Notification?

Yes  No

## 11. 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)

## 12. 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:

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? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result.  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

## 13. 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.*

Your AEE is attached to this application  Yes

## 13. 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

## 14. 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**

## 15. 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](http://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.

## 15. Important information continued...

### Declaration

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

**Name:** (please write in full)

**Signature:**

Date

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

### Checklist (please tick if information is provided)

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- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- Details of your consultation with Iwi and hapū
- 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.