

## 1.0 District Council Subdivision Consent

### 1.1 General Conditions

#### 1.1.1 Compliance with Application

- (1) That the subdivision shall be undertaken in general accordance with all drawings and information as listed in Table 1 below and received by the Environmental Protection Authority on 23 July 2025 including subsequent amendments. Where there is any conflict between the information and drawings referred to above and the conditions of this resource consent, the conditions shall prevail.

Document	Author	Date	Document Version
AEE – Volume 2: Day Zero Subdivision	Barker and Associates	14/07/2025	A
Proposed Scheme Plan	Maven Associates	02/2026	N
Instruments and Consent Cancellation Assessment	Barker and Associates	-	-

- (2) The Consent Holder shall be responsible for all contracted operations relating to the exercise of this subdivision consent and shall ensure contractors are made aware of the conditions of this consent and their requirement to comply with those conditions.
- (3) That pursuant to clause 26(2) of Schedule 5 to the FTAA, this consent numbered **SUBXX** shall lapse five (5) years from the date of commencement unless it has been given effect to, surrendered, or been cancelled at an earlier date.
- (4) Except where otherwise stated, the conditions below shall be completed prior to application for a subdivision completion certificate under Section 224(c) of the Resource Management Act 1991.

#### 1.1.2 Fees and Charges

- (5) Pursuant to section 36 Resource Management Act 1991, the following fee shall be paid:
- Payment of an additional Works and Services Fee for auditing the conditions set out in this consent. The fee will be charged on a time-cost recovery basis in accordance with MPDC's Schedule of Fees and Charges, with adjustments coming into effect at the beginning of each financial year.
  - All GST requirements with regard to the transferring of assets to MPDC (e.g. reserves, roads, sewers) being complied with by the completion of the form titled 'GST Requirement/Asset Register and Tax Invoice'.

#### 1.1.3 Engineering

- (6) Any engineering works and designs shall be in accordance with the Regional Infrastructure Technical Specifications or to the satisfaction of MPDC's Team Leader – Consents Engineer or nominee.

- (7) The consent holder shall retain the services of a suitably qualified person (generally a professional land surveyor or engineer) to oversee the design and construction of any infrastructure required for the development. This person shall be responsible for ensuring adherence to approved construction plans, quality systems, and project completion requirements, acting as the consent holder’s representative. Prior to any design and development, the consent holder shall advise MPDC’s Team Leader – Consents Engineer of the name and contact details of the representative. All discussions and correspondence relating to design and development matters shall be undertaken with Council staff only through this representative.
- (8) Any works within the road corridor shall be managed by a contractor operating under a current CAR (Corridor Access Request), made through the [www.beforeudig.co.nz](http://www.beforeudig.co.nz) website and appropriate traffic management. The Corridor Access Request shall be approved by the Road Controlling Authority prior to construction works commencing onsite (including earthworks).
- (9) Right of Way marked “C” and “D” as shown on the Scheme Plan referenced in Condition 1 shall have a legal width of no less than 6m and the carriageway shall be formed and constructed to an all-weather surface (at least a 100mm GAP 40 base-course or equivalent and a 20mm dressed layer of AP20) of at least 3m wide to the satisfaction of MPDC’s Team Leader – Consents Engineer. Adequate provision must be made for the disposal of stormwater runoff.
- (10) Right of Way marked “K” as shown on the Scheme Plan referenced in Condition shall have a legal width of no less than 3m and shall be unformed. The easement shall follow the boundary of the existing farm track and will be determined at the time of land survey, to the satisfaction of MPDC.
- (11) The Consent Holder shall demonstrate to the satisfaction of MPDC’s Team Leader – Consents Engineer that:
  - a. All water, power, and telecommunications supplies that cross the boundaries of Lots 1 – 6 hereon have been severed or are protected by easements;
  - b. The wastewater disposal fields serving the dwellings on Lots 2 and 5 hereon are located entirely within the boundaries of the said lots; and:
  - c. Any buildings or structures on Lots 1 – 6 hereon meet the minimum setback distances from the boundaries in compliance with the development standards for the underlying zone as set out in the Operative Matamata-Piako District Plan.

## 1.2 Survey Plan Approval (S223) Condition

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- (12) The Consent Holder must submit a survey plan in general accordance with the subdivision scheme plan referenced in Condition 1. The survey plan must show all easements and amalgamation conditions required by this consent.
- (13) Prior to requesting approval under Section 223 of the Resource Management Act 1991, the consent holder must provide to MPDC’s Team Leader – Consents Engineer a written statement from a Licensed Cadastral Surveyor, stating:
  - (a) whether all services to a lot (including any pipes, cables, pumps and ancillary equipment) are located entirely within the lot to which those services relate; or

- (b) where a service to a lot requires rights over an adjacent lot or other land in order to transport or connect the service to that lot, the Land Transfer Plan shows the nature and location of any easement to be created for those services, including that due allowance has been made to ensure services are constructed within the relevant easement area and that services not interfere with the construction of any dwelling or other improvement located on the servient land.

The statement provided by the Licensed Cadastral Surveyor in accordance with this condition shall be accompanied by all evidence reasonably required by MPDC's Team Leader – Consents Engineer to verify the nature and location of the services and the rights of each lot to connect services through other land.

### 1.3 Easements, Consent Notices and Amalgamation Conditions

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- (14) That all easements shown on the approved Scheme Plan referenced in Condition 1, or as otherwise required by MPDC's Team Leader – Consents Engineer, shall be duly granted and reserved. The easement documents in favour of MPDC shall be prepared by MPDC's Legal Officer or Solicitor at a cost in all matters to the Consent Holder and the surveying and definition of the easements and the preparation and registration of the easement documents shall be completed by, and at a cost in all matters to the Consent Holder. The easements shall be:
- a. At least 1.5m either side of any wastewater or stormwater pipe invert where the pipe is less than 4m deep; and
  - b. At least 3m either side of any wastewater or stormwater pipe invert where the pipe is more than 4m deep.
- (15) All Consent Notices to be cancelled or required to be registered under the conditions of this resource consent, shall be prepared by MPDC's Legal Officer or Solicitor and the preparation and registration of the Consent Notices shall be completed by, and at a cost in all matters to the Consent Holder.
- (16) That the following Consent Notices be cancelled prior to issue of s224c via s221(3).
- a) Consent Notice 7422421.2
  - b) Consent Notice 7422421.3
  - c) Consent Notice 7390609.2
  - d) Consent Notice 12244095.2
- (17) That the following Easements be surrendered prior to issue of s224c.
- a) Easement Instrument 7422421.6
  - b) Easement Instrument 7390609.4
  - c) Easement Instrument 7835210.3
  - d) Easement Instrument 12244095.3
- (18) That the following Easements be partially surrendered prior to issue of s224c:
- a. Easement Instrument 7422421.5
  - b. Easement Instrument 7422421.7

The cancellation of all easements shall be at a cost in all matters of the Consent Holder.

#### 1.4 Esplanade Reserve /Streambed

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- (19) That Lots 10, 11, 12, 13, 14, and 21 shall vest in MPDC on deposit as Local Purpose Reserve (Esplanade).
- (20) That Lots 17, 18, 19, 20, and 23 shall vest in MPDC on deposit as Streambed.
- (21) In accordance with the Private Developer Agreement, no compensation shall be paid by MPDC to the owner for the reserve and river bed to vest in MPDC.

#### 1.5 Amalgamation Conditions to be cancelled

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- (22) That Lot 2 DP 567678 and Lot 2 DP 21055 be held in the same Record of title.
- (23) That Lot 204 DP 535395 and Lot 25 & 106 DP 393306 be held in the same Record of title.

#### 1.6 Amalgamation Conditions (see LINZ Ref: xxx)

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- (24) That Lot 25 DP 393306 and Lot 106 DP 393306 be transferred to the owners of Lot 100 DP 380025 and one Record of Title be issued to include all parcels.
- (25) That Lot 3, 15, & 16 be held in the same Record of title.

#### 1.7 Section 224(c) Compliance Conditions

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- (26) The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of subdivision consent have been complied with.

#### 1.8 Consent Notices

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- (27) The following must be registered as a consent notice on the records of title to be issued for Lots 1, 3, 4, 5, and 6:

*“No future land use or development occur, other than those activities permitted by the MPDC District Plan or authorised by the Ashbourne LU and Subdivision consents (MPDC ref: xxxx)”*

**Advice Note:** *This Consent Notice is intended to restrict the said lots to existing permitted uses or the approved Ashbourne development.*

- (28) The following must be registered as a consent notice on the record of title to be issued for Lot 2:

*“No future urban land use or development occur, other than those activities permitted by the MPDC District Plan or authorised prior to the date of this consent notice being registered”*

**Advice Note:** *This Consent Notice is intended to restrict the use of the Lot to existing permitted rural activities.*