

Online Further Submission

Further Submitters Name	Mataka Residents' Association Inc	
Further Submitter Number	FS143	Further Submitter #143
Wish to be heard	Yes	
FS qualifier	a person who has an interest in the proposal that is greater than the interest the general public has (e.g. land owner, resource user)	
FS qualifier reason	The Mataka Residents' Association Inc ("the Association") is a collective of landowners with properties at Mataka Station whose land is affected by the Proposed Far North District Plan. The Association and individual landowners at Mataka Station have made primary submissions on the Proposed Plan.	
Joint presentation	Yes	
Attention:	Donald Chandler	
Contact organisation		
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Online further submitter?	Yes	
Date raw FS lodged	03/09/2023 6:49pm	

Further submission points

Raw FS number	Original submitter	Related Submission Point	Plan section	Provision	OS Decision Requested	SupportOppose	FS Decision requested	Reasons
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FS143.1	Bentzen Farm Limited	S167.001	General approach	Applications Subject to Multiple Provisions	Insert a new clause within 'Applications Subject to Multiple Provisions', specifying that if an overlay is shown on the Planning Maps, the overlay provisions only apply to the portion of the property covered by the overlay
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Support

Allow

As described in the National Planning Standard 2019, an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. It follows that the provisions relating to the overlay only apply to that part of a site so mapped. While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to 'the site'; the potential implication being that the overlay provisions apply to the site as a whole. In many instances, overlays apply to part of but

not the whole of the site. Applying the provisions to the site as a whole in these situations would not serve the resource management purpose of the overlay.

FS143.2

Bentzen Farm Limited

S167.004

Economic and Social Wellbeing

Objectives

Retain Strategic Objectives SD-SP-O1 to SD-EP-O5

Support

Allow

The encouragement of opportunities for fulfilment of the community's cultural, social, environmental, and economic wellbeing set out in these Strategic Objectives is supported.

FS143.3	Bentzen Farm Limited	S167.006	Natural Environment	SD-EP-O5	Amend Strategic Objective SD-EP-O5 as follows: The natural character of the coastal environment and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations, including their restoration.	Support	Allow	The further submitter agrees with this submission that the long term protection of the values set out in this strategic objective may not necessary mean their restoration. The natural character of the coastal environment is in most cases degraded, and opportunities for its restoration or rehabilitation should be promoted as required by policy 14 of the NZCPS 2010.
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FS143.4	Bentzen Farm Limited	S167.009	Natural hazards	Notes	Amend note 2 as follows 2. Any application for a land use resource consent in relation to a site location that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether the site any new site to be created includes an area of land susceptible to instability.	Support	Allow	The further submitter agrees that Note 2 to this rule should only apply to just that part impacted by the identified natural hazard, otherwise the rule will impose unnecessary cost. The amendments sought by the submitter target the requirements just to the mapped hazard area.
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FS143.5	Bentzen Farm Limited	S167.030	Natural features and landscapes	Overview	Amend the Overview as follows: The Far North District has an extensive coastline with many harbours, large tracts of indigenous vegetation and a wide variety of natural processes that operate at varying scales. This has created a District rich in unique landscapes and features. In many instances, they are celebrated by cultural associations and stories. Modification of these places has been minimal largely due to their remote locations, historic heritage and in some cases challenging topography and geomorphology.	Support	Allow	The Overview as written sets up an incorrect expectation that ONLs as mapped are in a natural state. The objective is also internally Inconsistent with policy NFL-P4 which correctly recognises that farming is part of ONLs.
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FS143.6	Bentzen Farm Limited	S167.031	Natural features and landscapes	NFL-02	<p>Amend Objective NFL-O2 as follows:</p> <p>Land use and subdivision in ONL and ONF is consistent with and does not compromise the identified characteristics and qualities values of that landscape or feature.</p> <p>Or alternatively</p> <p>The identified characteristics and values of ONLs and ONFs are protected from inappropriate subdivision, use and development.</p>	Support	Allow	By its nature, land use and subdivision cannot be 'consistent with' the characteristics and qualities of an ONL or ONF. It can however not compromise their characteristics and values as have been identified by the higher order planning documents. The resource consents granted to Mataka have confirmed that subdivision, land use and development can occur without compromising the characteristics and values of ONLs and can in fact enhance them.
FS143.7	Bentzen Farm Limited	S167.032	Natural features and landscapes	NFL-P2	<p>Amend Policy NFL-P2 as follows:</p> <p>Avoid adverse effects of land use and subdivision on the</p>	Support	Allow	For the reasons stated in relation to the objective above.

					<p>identified characteristics and qualities values of ONL and ONF within the coastal environment.</p>			
FS143.8	Bentzen Farm Limited	S167.033	Natural features and landscapes	NFL-P3	<p>Amend Policy NFL-P3 as follows:</p> <p>Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the identified characteristics and qualities values of ONL and ONF outside the coastal environment.</p>	Support	Allow	For the reasons stated above in relation to the objective
FS143.9	Bentzen Farm Limited	S167.034	Natural features and landscapes	NFL-P4	<p>Amend Policy NFL-P4 as follows:</p> <p>Provide for farming activities within ONL and on ONF where:</p> <p>a. the use forms part of the identified characteristics and qualities values that established the landscape or feature; and</p> <p>b. the use is consistent with, and does not compromise the characteristics and qualities of the landscape or feature.</p>	Support	Allow	For the reasons stated above in relation to the objective

FS143.10	Bentzen Farm Limited	S167.036	Natural features and landscapes	NFL-P6	Amend Policy NFL-P6 as follows: Encourage the restoration and enhancement of ONL and ONF areas where it is consistent with the characteristics and qualities.	Support	Allow	The further submitter agrees with this submission point that the restoration and enhancement of ONLs and ONF should always be encouraged in objectives and policies and to do otherwise may hold such areas in a degraded state.
FS143.11	Bentzen Farm Limited	S167.037	Natural features and landscapes	NFL-P7	Delete Policy NFL-P7	Support	Allow	The policy prohibiting 'any loss' of characteristics of ONLs is an unreasonable test and does not give effect to the New Zealand Coastal Policy Statement.

FS143.12

Bentzen Farm
Limited

S167.039

Natural
features and
landscapes

Policies

Insert a new policy as
follows:

Support

Allow

**Recognise that
identified ONLs and
ONFs may contain
existing and/or
authorised
subdivision, use and
development and
provide for these
activities.**

The further submitter fully agrees with this submission point that the Proposed Plan does not provide appropriate recognition of existing and/or authorised subdivision, use and development in ONLs and ONFs. ONLs have been enhanced through development and subdivision and Mataka Station is a case in point. Such activities have been deemed to be appropriate in the past and in the more recent past, and as at Mataka Station, subject to legally binding ongoing obligations to protect and enhance the values which comprise the ONL or ONF. A new policy is required to

recognise the
positive
benefits of such
forms of
subdivision and
development.

FS143.13

Bentzen Farm
Limited

S167.041

Natural
features and
landscapes

Rules

Insert new rule as
follows:

Support in part

Allow in part

“New buildings or structures, and extensions or alterations to existing buildings or structures within an approved building platform or buildable area on a site for which a subdivision consent was granted after 1 January 2000”

Specify the activity status as **controlled activity**

Insert the following matter of control:

1. Compliance with location, height, design and mitigation conditions which apply to the site or building platform by way of resource consent condition or consent notice.

Insert the following clause:

Building/s which are a controlled activity under this rule shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act

**unless special
circumstances exist or
notification is required
under section 95B(2)
and (3).**

The further submitter agrees with the primary submitter that the default to non complying activity under this rule imposes considerable unnecessary cost and risk to current owners at Mataka Station, where the appropriateness of the building locations and the controls that apply to them by way of instruments on the title have already been deemed to be appropriate by the Council through the original subdivision consent. The rule fails to provide for residential activity in accordance with the consented Mataka Scheme and will impose undue restrictions on residential

residential activity that is anticipated by the consented Mataka Scheme to the detriment of members of the Association. The further submitter considers that in relation to Mataka Station residential activity and buildings should be a permitted activity, rather than a controlled activity as sought by the submitter, where they are in accordance with the Mataka Scheme and located on the consented House Site location.

FS143.14	Bentzen Farm Limited	S167.042	Natural features and landscapes	NFL-R2	Delete Rule NFL-R2	Support	Allow	The further submitter agrees that repairs and maintenance should be permitted under the respective rules relating to the buildings, earthworks and indigenous vegetation clearance activity classes within the overlay to avoid unnecessary consenting obligations and provide for normal land management practices.
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FS143.15	Bentzen Farm Limited	S167.043	Natural features and landscapes	NFL-R3	Amend Rule NFL-R3 as follows:	Support in part	Allow in part	The applicant agrees that further exceptions to the rule should be made for normal farming and rural practices. Almost all ground disturbance is captured by the definition referred to in the rule already. The further submitter also considers that in relation to Mataka Station, earthworks and vegetation clearance should be a permitted activity where they enable residential activity and buildings in accordance with the Mataka Scheme and located on the consented House Site location.
					Activity status: Permitted			
					Where:			
					PER-1			
					The earthworks or indigenous vegetation clearance is:			
					1. required for the repair or maintenance permitted under NFL-R2 Repair or maintenance.			
					1. Required for the repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:			
					1. roads.			
					2. fences			
					3. network utilities			
					4. driveways and access			
					5. walking tracks			
					6. cycling tracks			
					7. farming tracks.			
					2. required to provide for safe and reasonable clearance for existing overhead power lines.			

3. necessary to address a risk to public health and safety.

4. for biosecurity reasons.

5. for the sustainable non-commercial harvest of plant material for rongoā Māori.

6. for vegetation clearance required to establish or maintain a firebreak within 20m of a dwelling.

7. for cultivation (for earthworks only) or domestic gardens.

8. for ecosystem protection, rehabilitation or restoration works.

9. required to maintain an operational farm (including the maintenance or reinstatement of pasture where the vegetation to be cleared is less than 15 years old and less than 6m in height) or operate a plantation forestry activity.

10. required for vegetation clearance to maintain an existing driveway to a

dwelling, within 5m of that driveway.

11. required for vegetation clearance as a strip of no more than 3.5m wide to construct new fences for the purpose of stock control or boundary delineation.

12. required for vegetation clearance within the legal width of an existing formed road.

PER-2

Except as permitted under PER-1, Tthe earthworks or indigenous vegetation clearance outside the coastal environment is not provided for within ~~NFL-R3-PER-1~~ but it complies with standard NFL-S3 Earthworks or indigenous vegetation clearance

PER-3

Except as permitted under PER-1 Tthe earthworks or indigenous vegetation clearance inside the coastal environment is not provided for within ~~NFL-R3-PER-1~~ but it complies with standard NFL-S3 Earthworks or

indigenous vegetation
clearance

Amend the activity
status where
compliance is not
achieved with rules PER-
1, PER-2 and PER-3
from discretionary /non
complying to **restricted
discretionary** in the
case of each rule.

Insert a matter of
discretion as follows:

**1. The effects on the
identified
characteristics and
qualities values that
established the
landscape or feature,
having regard to:**

**a. the temporary or
permanent nature of
any adverse effects;**

**b. the ability of the
environment to
absorb change;**

**c. the need for and
location of earthworks
or vegetation
clearance;**

**d. the operational or
functional need of any
regionally significant
infrastructure to be
sited in the particular
location;**

**e. Except as provided
for under k and l**

below, any viable alternative locations for the activity or development outside the landscape or feature;

f. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;

g. the characteristics and qualities of the landscape or feature;

h. the physical and visual integrity of the landscape or feature;

i. the natural landform and processes of the location; and

j. any positive contribution the development has on the characteristics and qualities.

k. Whether locating the activity within the ONF or ONL area is required to enable reasonable residential or farming use of the lot.

l. Whether the location is on a previously approved building platform.

Insert new clause as follows:

Earthworks or indigenous vegetation clearance which do not comply with PER1, PER2 or PER3 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).

FS143.16	Bentzen Farm Limited	S167.044	Natural features and landscapes	NFL-R3	<p>Delete rule NFL-R3 (assuming reliance can then be placed on the activity status for farming in the underlying zoning as per “Applications Subject to Multiple Provisions” section of the Proposed Plan)</p> <p>Or, in the alternative,</p> <p>Amend rule NFL-R3 so that Farming is a permitted activity in the overlay.</p>	Support	Allow	<p>As noted by the submitter, while existing farms may be protected by existing use rights, new farming methods or practices may not be, and may trigger the need for a resource consent with the rule as proposed. This ignores that in large sections of the district, ONF and ONLs apply over working farms, as is the case at Mataka Station. The rule will impose significant compliance costs on the existing farming operation where resource consents may be required for every new future aspect of the operation.</p>
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FS143.17	Bentzen Farm Limited	S167.045	Natural features and landscapes	NFL-S1	Delete Standard NFL-S1	Support	Allow	The maximum height specified of 5m may or may not be appropriate in all instances and, as is the case at Mataka Station has been already assessed and determined at by the subdivision consent stage.
FS143.18	Bentzen Farm Limited	S167.046	Natural features and landscapes	NFL-S2	Amend Standard NFL-S2 as follows: The exterior surfaces of buildings or structures shall: 1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%. 2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette or are a natural finish stone or timber.	Support in part	Allow in part	The relief sought that buildings can be also be natural finish stone or timber is supported as both are appropriate in coastal landscapes with high values.

FS143.19	Bentzen Farm Limited	S167.047	Natural features and landscapes	NFL-S3	Amend rule NFL-S3 (inferred) as follows:	Support	Allow	The relief sought is consistent with the further submitter's primary submission; namely that restrictions in the rule should not apply to earthworks or indigenous vegetation clearance associated with access and/or an approved building platform.
					Any earthworks or indigenous vegetation clearance must (where relevant):			
					1. not exceed a total area of 50m ² over the life of the District Plan.			
					per calendar year; and			
					2. not exceed a cut height or fill depth of 1m 1.5m.; and			
					3. screen any exposed faces visible from a public place.; or			
					4. be for the purpose of access and/or a building platform.			
					Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.			

FS143.20	Bentzen Farm Limited	S167.066	Coastal environment	CE-O1	Delete Objectives CE-O1 and CE-O2 and replace with the following:	Support	Allow	The further submitter agrees with this submission point that this coastal environment objective should recognise and provide for the full range of sustainable land uses in the coastal environment (including those already consented). In particular, the objective should enable people and their communities to provide for the social, economic, and cultural well-being and their health and safety.
					<p>Objective CE-O1 Subdivision, use and development in the Coastal Environment:</p>			
					<p>a. Enables people and their communities to provide for the social, economic, and cultural well-being and their health and safety;</p>			
					<p>b. Maintains or restores the integrity, form, functioning and resilience of the Coastal</p>			
					<p>Environment; and</p>			
					<p>c. Protects the indigenous biodiversity values of the Coastal Environment in relation to the biodiversity values present; and</p>			
					<p>d. Preserves the natural character of the Coastal Environment in relation to the level of natural character present; and</p>			
					<p>e. Protects natural features and landscapes values of the Coastal</p>			

Environment in relation to the level of natural feature and landscape values present; and

f. Recognises and provides for the relationship of tāngata whenua with the Coastal Environment; and

g. Maintains and enhances public open space and recreation opportunities in the Coastal Environment; and

h. Manages coastal hazard risks, including the longterm projected effects of climate change; and

i. Protects and enhances historic heritage values; and

j. Avoids sprawling or sporadic patterns of development and enabling consolidation of existing settlements.

k. Where appropriate, promotes opportunities for restoration or rehabilitation of modified or degraded areas of natural character.

FS143.21	Bentzen Farm Limited	S167.068	Coastal environment	CE-P2	Amend Policy CE-P2 as follows: Avoid adverse effects of land use and subdivision on the characteristics, values and qualities of the coastal environment identified as: a. outstanding natural character; b. ONL; c. ONF.	Support	Allow	The submission point is agreed with that the policy should recognise that some of the overlays referenced identify "values".
FS143.22	Bentzen Farm Limited	S167.069	Coastal environment	CE-P3	Amend Policy CE-P3 as follows: Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics, values and qualities of the coastal environment not identified as: a. outstanding natural character; b. ONL; c. ONF.	Support	Allow	The submission point is agreed with that the policy should recognise that some of the overlays referenced identify "values".

FS143.23	Bentzen Farm Limited	S167.070	Coastal environment	CE-P6	<p>Amend Policy CE-P6 as follows:</p> <p>Enable farming activities within the coastal environment where:</p> <p>a. the use forms part of the values that established natural character of the coastal environment; or</p> <p>b. the use is consistent with, and does not compromise the characteristics and qualities:</p>	Support	Allow	<p>The submitter agrees with the submission that the qualifications in this policy as drafted that farming is only supported where "its use forms part of the values that established natural character of the coastal environment; or the use is consistent with, and does not compromise the characteristics and qualities", are unnecessary and do not recognise the existence of farming activities in the coastal environment.</p>
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FS143.24	Bentzen Farm Limited	S167.071	Coastal environment	CE-P8	Retain Policy CE-P8	Support	Allow	As noted by the submitter, the natural character of the coastal environment is in many instances significantly modified or degraded and it is appropriate that the Proposed Plan encourages its restoration and enhancement to give effect to the New Zealand Coastal Policy Statement, as has been the case at Mataka Station.
FS143.25	Bentzen Farm Limited	S167.072	Coastal environment	CE-P9	Delete Policy CE-P9	Support	Allow	The further submitter agrees that this policy is not implemented by any rules and, moreover, is inconsistent with Policy CE-P2, and as such should be deleted.

FS143.26	Bentzen Farm Limited	S167.040	Natural features and landscapes	NFL-R1	Amend Rule NFL-R1 as follows:	Support in part	Allow in part	The rule ignores that there are titles, including titles with approved building platforms, which have occurred through a subdivision process which has confirmed the suitability of a residential unit, but are as yet unbuilt on. That should be recognised as a permitted activity in the case of Matata, to enable residential activity and buildings as a permitted activity where they are in accordance with the Mataka Scheme and located on the consented House Site location.
					Activity status: Permitted			
					Where:			
					PER-1			
					If a new building or structure is located outside the coastal environment it is:			
					1. ancillary to farming (excluding a residential unit);			
					1.2: no greater than 25 50m² .			
					PER-2			
					If a new building or structure is located within the coastal environment it is:			
					1. ancillary to farming (excluding a residential unit);			
					1 2: no greater than 25 50m² .			
					PER-3			
					Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.			
					PER-4			

The building or structure, or extension or alteration to an existing building or structure, complies with standards:

NFL-S1 Maximum height

NFL-S2 Colours and materials

Insert the following rule:

PER-5

Where the new building is for a residential unit, there is only one residential unit within the ONL and ONF area on the lot.

Amend the activity status where compliance is not achieved with rules PER-1, PER-2, PER-3 and PER-4 from discretionary /non complying to **restricted discretionary** in the case of each rule.

Insert a new activity status where compliance is not achieved with rule PER-5 as a **non-complying activity**.

Insert a matter of discretion as follows:

1. The effects on the identified characteristics and values that established the landscape or feature, having regard to:

a. the temporary or permanent nature of any adverse effects;

b. the location, scale and design of any proposed development;

c. any means of Integrating the building, structure or activity;

d. the ability of the environment to absorb change;

e. the need for and location of earthworks or vegetation clearance;

f. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;

g. Except as provided for under m and n below, any viable alternative locations for the activity or development outside the landscape or feature;

h. the characteristics and qualities of the landscape or feature;

i. the physical and visual integrity of the landscape or feature;

j. the natural landform and processes of the location; and

k. any positive contribution the development has on the characteristics and qualities.

l. Whether locating the activity within the ONF or ONL area is required to enable reasonable residential or farming use of the lot.

m. Whether the location is on a previously approved building platform.

Insert new clause as follows:

Building/s which do not comply with PER1, PER2, PER3 or PER4 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required

**under section 95B(2)
and (3).**

FS143.27	Bentzen Farm Limited	S167.074	Coastal environment	CE-R1	<p>Amend rule CE-R1 as follows:</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>If a new building or structure is located in an urban zone it is:</p> <ol style="list-style-type: none">1. no greater than 300m².2. located outside high or outstanding natural character areas. <p>PER-2</p> <p>If a new building or structure is not located within an urban zone it is:</p> <ol style="list-style-type: none">1. ancillary to farming activities (excluding a residential unit).2. If not ancillary farming activities (including a residential unit) no greater than 25m² 50m².3. located outside outstanding natural character areas. <p>PER-3</p>	Support in part	Allow in part	<p>As noted by the submitter, the rule ignores that there are titles, including titles with approved building platforms, which have occurred through a subdivision process which has confirmed the suitability of a residential unit, but are as yet unbuilt on. This should be allowed as a permitted activity in the case of Mataka to enable residential activity and buildings where they are in accordance with the Mataka Scheme and located on the consented House Site locations.</p>
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Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.

PER-4

The building or structure, or extension or addition to an existing building or structure, complies with standards:

CE-S1 Maximum height.

CE-S2 Colours and materials.

Amend the activity status for non compliance with PER-1, PER-2 and PER-3 from discretionary and non-complying to **restricted discretionary activity** in each case.

Insert the following restricted discretionary activity assessment matter:

The effects on the characteristics, values and qualities of the coastal environment, including (but not limited to) consideration of the following matters where relevant to the application:

a. the presence or absence of buildings, structures or infrastructure;

b. the temporary or permanent nature of any adverse effects;

c. the location, scale and design of any proposed development;

d. any means of integrating the building, structure or activity;

e. the ability of the environment to absorb change;

f. the need for and location of earthworks or vegetation clearance;

g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;

h. Except as provided for under n and o below, any viable alternative locations for the activity or development;

i. any historical, spiritual or cultural association held by tangata whenua, with

regard to the matters set out in Policy TW-P6;

j. the likelihood of the activity exacerbating natural hazards;

k. the opportunity to enhance public access and recreation;

l. the ability to improve the overall quality of coastal waters; and

m. any positive contribution the development has on the characteristics and qualities.

n. Whether locating the activity within the coastal environment is required to enable reasonable residential or farming use.

o. Whether the location is on a previously approved building platform.

Insert the following clause:

New buildings or structures, and extensions or alterations to existing buildings or structures which do not comply with PER1, PER2, PER3 or PER4 shall be

**assessed without
public or limited
notification under
sections 95A and 95B
of the Resource
Management Act
unless special
circumstances exist or
notification is required
under section 95B(2)
and (3).**

FS143.28	Bentzen Farm Limited	S167.075	Coastal environment	Rules	Insert new rule as follows:	Support in part	Allow in part	The new rule sought by this submission point provides for the fact that there are titles with approved building platforms, which have occurred through a subdivision process which has confirmed the suitability of a residential unit, but are as yet unbuilt on. This should be allowed as a permitted activity in the case of Mataka however to enable residential activity and buildings where they are in accordance with the Mataka Scheme and located on the consented House Site locations.
					<p>“New buildings or structures, and extensions or alterations to existing buildings or structures within an approved building platform or buildable area on a site for which a subdivision consent was granted after 1 January 2000”</p>			
					<p>Specify the activity status as controlled activity</p>			
					<p>Include the following matter of control:</p>			
					<p>2. Compliance with location, height, design and mitigation conditions which apply to the site or building platform by way of resource consent condition or consent notice.</p>			
					<p>Include the following clause:</p>			
					<p>Building/s which are a controlled activity under this rule shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act</p>			

**unless special
circumstances exist or
notification is required
under section 95B(2)
and (3).**

FS143.29	Bentzen Farm Limited	S167.076	Coastal environment	CE-R2	Delete Rule CE-R2	Support	Allow	The further submitter agrees that there is no need in the rule for an activity class of repair and maintenance. Repairs and maintenance should be otherwise be permitted under the respective rules relating to the buildings, earthworks and indigenous vegetation clearance activity classes within the overlay.
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FS143.30	Bentzen Farm Limited	S167.077	Coastal environment	CE-R3	Amend Rule CE-R3 as follows:	Support	Allow	As is the case at Mataka Station, farming activities are typically part of the coastal environment and not providing for such activities in this rule would impose significant consent cost and risks on landowners.
					Activity status: Permitted			
					Where:			
					PER-1			
					The earthworks or indigenous vegetation clearance is:			
					1. required for the repair or maintenance permitted under CE-R2 Repair or maintenance:			
					1. Required for the repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:			
					1. roads.			
					2. fences			
					3. network utilities			
					4. driveways and access			
					5. walking tracks			
					6. cycling tracks			
					7. farming tracks.			
					2. required to provide for safe and reasonable clearance for existing overhead power lines.			

3. necessary to address a risk to public health and safety.

4. for biosecurity reasons.

5. for the sustainable non-commercial harvest of plant material for rongoā Māori.

6. for vegetation clearance required to establish or maintain a firebreak within 20m of a dwelling.

7. for cultivation (for earthworks only) or domestic gardens.

8. for ecosystem protection, rehabilitation or restoration works.

9. required to maintain an operational farm (including the maintenance or reinstatement of pasture where the vegetation to be cleared is less than 15 years old and less than 6m in height) or operate a plantation forestry activity.

10. required for vegetation clearance to maintain an existing driveway to a

dwelling, within 5m of that driveway.

11. required for vegetation clearance as a strip of no more than 3.5m wide to construct new fences for the purpose of stock control or boundary delineation.

12. required for vegetation clearance within the legal width of an existing formed road.

PER-2

Except as permitted under PER-1, ~~the~~ earthworks or indigenous vegetation clearance ~~is not provided for within CE-R3 PER-1 but it~~ complies with standard CE-S3 Earthworks or indigenous vegetation clearance

Amend the activity status where compliance is not achieved with rules PER-1 and PER-2 from discretionary /non complying to **restricted discretionary** in the case of each rule.

Add a matter of discretion as follows:

1. The effects characteristics, values and qualities of the coastal environment, having regard to:

a. the temporary or permanent nature of any adverse effects;

b. the ability of the environment to absorb change;

c. the need for and location of earthworks or vegetation clearance;

d. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;

e. Except as provided for under k and l below, any viable alternative locations for the activity or development outside the coastal environment;

f. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;

g. the likelihood of the activity exacerbating natural hazards;

h. the ability to improve the overall quality of coastal waters; and

i. any positive contribution the development has on the characteristics and qualities.

j. Whether locating the activity within the coastal environment is required to enable reasonable residential or farming use.

k. Whether the location is on a previously approved building platform or access drive.

Add new clause as follows:

Earthworks or indigenous vegetation clearance which do not comply with PER1, PER2 or PER3 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).

FS143.31	Bentzen Farm Limited	S167.078	Coastal environment	CE-R4	<p>Delete rule CE-R4 (assuming reliance can then be placed on the activity status for farming in the underlying zoning as per "Applications Subject to Multiple Provisions" section of the Proposed Plan)</p> <p>Or, in the alternative,</p> <p>Amend rule CE-R4 so that Farming is a permitted activity in the overlay.</p> <p>Amend rule CE-R4 as follows:</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The farming activity is located outside high or outstanding natural character areas:</p> <p>Activity status where compliance is not achieved with PER-1:</p> <p>Discretionary (outside an outstanding natural character area)</p> <p>Non-complying (inside an outstanding natural character area)</p> <p>Activity status where compliance not</p>	Support	Allow
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achieved: Not applicable

The further submitter agrees with this submission point that this rule does not implement policy CE-P6 of the Proposed Plan which recognises that that farming should be provided for in the coastal environment. While existing farms may be protected by existing use rights, new farming methods or practices may not be, and may trigger the need for a resource consent with the rule as proposed. The rule will impose significant compliance costs on existing farms such as Mataka Station where resource consents may be required for every new aspect of its

FS143.32	Bentzen Farm Limited	S167.079	Coastal environment	CE-S1	Delete Standard CE-S1	Support	Allow	operation. The further submitter agrees with the submission point that the maximum height specified of 5m may or may not be appropriate in the circumstances, and is best assessed and determined at resource consent stage (as has been done already at Mataka).
FS143.33	Bentzen Farm Limited	S167.080	Coastal environment	CE-S2	Amend Standard CE-S2 as follows: The exterior surfaces of buildings or structures shall: 1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%. 2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette or are a natural finish stone or timber.	Support	Allow	The further submitter agrees with the submission point that buildings in the coastal environment should also be allowed to be natural finish stone or timber.

FS143.34	Bentzen Farm Limited	S167.081	Coastal environment	CE-S3	Amend Standard CE-S2 (CE-S3 inferred) as follows:	Support	Allow	The further submitter agrees with the amendments sought to the rule that earthworks or indigenous vegetation clearance associated with access and/or a building platform are not subject to the preceding subclause limitations on volumes etc.
					Any earthworks or indigenous vegetation clearance must (where relevant):			
					1. not occur in outstanding natural character areas.			
					2. not exceed a total area of 50m ² for 10 years from the notification of the District Plan per calendar year in an area of high natural character.			
					3. not exceed a total area of 400m ² for 10 years from the notification of the District Plan per calendar year in an area outside high or outstanding natural character areas.			
					4. not exceed a cut height or fill depth of 4m 1.5m .			
					5. screen any exposed faces visible from a public place.; or			
					6. be for the purpose of access and/or a building platform.			
					Note: The NESF requires a 10m setback from any			

natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.

FS143.35	Bentzen Farm Limited	S167.082	Coastal environment	CE-S5	Amend standard CE-S5 as follows: Any application for a resource consent in relation to a site location that is potentially affected by a coastal hazard must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Support	Allow	The further submitter agrees with the submission point because as drafted, the standard may trigger the need for an engineering report for a resource consent for an activity anywhere on a site subject to a coastal hazard overlay (rather than just within the overlay itself).
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FS143.36	Bentzen Farm Limited	S167.083	Earthworks	EW-O1	Amend Objective EW-01 as follows: Earthworks are enabled where they are required for rural land uses and development and to facilitate the efficient subdivision and development of land, while managing adverse effects on waterbodies, coastal marine area, public safety, surrounding land and infrastructure.	Support	Allow	The submitter agrees that earthworks for rural activities should be exempt from the rules in the Coastal Environment (ie they can occur subject to standards, without the need for resource consent).
FS143.37	Bentzen Farm Limited	S167.084	Earthworks	EW-R14	Delete Rule EW-R14 and replace with the following: EW-R14 General earthworks not provided for by EW-R1 – EWR13 All zones Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope;	Support	Allow	Subject to compliance with the full suite of standards, earthworks should also be a permitted activity irrespective of their purpose.

EW-S4 Site reinstatement;
EW-S6 Setbacks;
EW-S7 Land stability;
EW-S8 Nature of filling material; and
EW-S9 Flood and coastal hazards.
EW-S1 does not apply to Motoura Island or Orongo Bay zones”.

FS143.38	Bentzen Farm Limited	S167.091	Rural production	RPROZ-O2	Amend Objective RPROZ-O2 “The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment”. ”	Support	Allow	Reference to “functional need” in this rural production zone objective potentially negates the ability for other activities to establish which may be a sustainable use of land and also contribute to the economic and social development of the district - as is the case at Mataka Station.
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FS143.39	Bentzen Farm Limited	S167.095	Rural production	RPROZ-P5	Delete Policy RPROZ-P5	Support	Allow	As above, reference to “functional need” in this policy potentially negates the ability for other activities to establish which may be a sustainable use of land and also contribute to the economic and social development of the district, or bring environmental benefit.
					Or alternatively			
					Amend Policy RPROZ-P5 as follows:			
					Avoid land use that:			
					a. is incompatible with the purpose, character and amenity of the Rural Production zone;			
					b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;			
					c. would result in the loss of productive capacity of highly productive land;			
					d. would exacerbate natural hazards; and			
					e. cannot provide appropriate on-site infrastructure.			

FS143.40	Heritage New Zealand Pouhere Taonga	S409.050	Earthworks	EW-S6	Amend Standard EW-S6 Setback as follows (or words to that effect):	Oppose	Disallow	The proposed requirement for earthworks to be set back 20m from an archaeological site is unnecessary duplication of authorisation processes provided for under Heritage New Zealand Pouhere Taonga Act 2014
					Earthworks must be setback by the following minimum distances:			
					1. earthworks supported by engineered retaining walls - 1.5m from a site boundary;			
					2. earthworks not supported by engineered retaining walls - 3m from a site boundary;			
					3. earthworks must be setback by a minimum distance of 10m from coastal marine area.			
					4. earthworks must be setback by a minimum distance of 20m from the extent of an archaeological site			
					Note: setbacks from waterbodies is managed by the Natural Character chapter. In addition to the requirements of the District Plan, it			

should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ('HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.

FS143.41	Heritage New Zealand Pouhere Taonga	S409.028	Historic heritage	HH-R5	<p>Amend Rule HH-R5 as follows (or words to that effect):</p> <p>PER-1</p> <p>Any earthworks are setback a minimum of 20m from a scheduled Heritage Resource:</p> <p>The earthworks</p> <p>1. Do not exceed 100m³</p> <p>2. Are not within 20m of a Scheduled Heritage Resource or an archaeological site</p> <p>3. Comply with EW-S3 Accidental Discovery Protocol</p>	Oppose	Disallow	The proposed requirement for earthworks to be set back 20m from an archaeological site is unnecessary duplication of authorisation processes provided for under Heritage New Zealand Pouhere Taonga Act 2014
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This rule does not apply to earthworks associated with burials within an existing cemetery.

Note: In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.

FS143.42	Heritage New Zealand Pouhere Taonga	S409.032	Heritage area overlays	HA-R5	That Rule HA-R5 be amended as follows (or words to that effect):	Oppose	Disallow	The proposed requirement for earthworks to be set back 20m from an archaeological site is unnecessary duplication of authorisation processes provided for under Heritage New Zealand Pouhere Taonga Act 2014
PER-1								
The earthworks:								
<ol style="list-style-type: none"> 1. comply with the relevant permitted activity rules within the Earthworks chapter 2. are not within 20m of a scheduled Heritage Resource or an archaeological site. 								
PER-2								
The earthworks:								
<ol style="list-style-type: none"> 1. do not exceed 2m³ in volume over an area of 5m² ; 2. is are not within 20m of a scheduled Heritage Resource or of an archaeological site; 3. complies Comply with standard HA-S3 Accidental Discovery Protocol. 								

The earthworks

1. do not exceed 200m³
2. are not within 20m of a scheduled Heritage Resource **or an archaeological site;**
3. ~~complies~~ **Comply** with HA-S3 Accidental Discovery Protocol.

Note: In addition to the requirements the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated or the activity is permitted under the District Plan or a resource or building consent has been granted.

FS143.43	Carbon Neutral NZ Trust	S529.022	General	General / Plan Content / Miscellaneous	Amend to insert strong policies/rules that will avoid urban/residential sprawl in rural and coastal areas in other zones/chapters than Coastal Environment.	Oppose	Disallow	Appropriate residential development outside of existing urban areas can be a catalyst for positive land use change with environmental benefits and should not be outright 'avoided' as sought by this submission.
FS143.44	Carbon Neutral NZ Trust	S529.041	General approach	District Plan Framework	Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately.	Oppose	Disallow	The relief sought to redefine the extent of the coastal environment does not give effect to the NZCPS or the Northland Regional Policy Statement.

FS143.45

Heritage New
Zealand Pouhere
Taonga

S409.049

Planning
maps

Heritage Area

Insert new heritage
areas (including
associated mapping,
overview, objectives,
policies and rules) as
indicated in submission

Oppose

Disallow

The submission seeks wholesale changes to the District Plan with the addition of significantly more heritage areas, yet only very generally identifies these, including for example seeking that "all islands within the Bay of Islands", "Early European explorers Cook, Du Fresne" and "Early contact sites" be identified as heritage areas. That lacks the specificity of relief required of submissions to a proposed plan. There is no RMA 1991 justification for the inclusion of these areas and no specific identification of the properties affected or the values sought to be protected, and no evidential basis to support the inclusion of the

additional heritage areas. The further submitter represents owners of coastal land in the Bay of Islands whose property may be affected by the relief sought in this submission, however the submission is so broadly cast as to not enable a proper understanding of the impact of the relief sought or the reasons for inclusion of the additional areas. For these reasons, the submission should be disallowed.

The identification of the additional areas as historic heritage through this submission is poor planning practice, introducing as it does potentially significantly

FS143.46	Heritage New Zealand Pouhere Taonga	S409.032	Heritage area overlays	HA-R5	That Rule HA-R5 be amended as follows (or words to that effect):	Oppose	Disallow	<p>more extensive than the rule requiring a submission only, without prior consultation with affected landowners and the sharing of evidence in support of approvals normally required under the Heritage Act, and neither an effective nor efficient way to achieve relevant objectives and the extent which economic growth will be provided or reduced. The scheduling lacks identification of criteria and values used to identify these areas, including any physical evidence or other values that is intended to be protected. For these reasons the relief sought is</p>
					PER-1			
					The earthworks:			
					1. comply with the relevant permitted activity rules within the Earthworks chapter			
					2. are not within 20m of a scheduled Heritage Resource or an archaeological site.			
					PER-2			
					The earthworks:			
					1. do not exceed 2m ³ in volume over an area of 5m ² ;			
					2. is are not within 20m of a scheduled Heritage Resource or of an archaeological site;			
					3. complies Comply with standard HA-S3 Accidental Discovery Protocol.			

The earthworks

1. do not exceed 200m³
2. are not within 20m of a scheduled Heritage Resource **or an archaeological site;**
3. ~~complies~~ **Comply** with HA-S3 Accidental Discovery Protocol.

Note: In addition to the requirements the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated or the activity is permitted under the District Plan or a resource or building consent has been granted.

FS143.49	John Andrew Riddell	S431.161	Natural features and landscapes	Policies	<p>Insert the following new policy:</p> <p>That the cumulative effect of changes to the character of Outstanding Landscapes be taken into account in assessing applications for resource consent.</p>	Oppose	Disallow	The policy sought on consideration of cumulative effects is at best a matter of discretion, not a policy. In the case of Mataka Station, it has already been taken into account.
FS143.50	John Andrew Riddell	S431.162	Natural features and landscapes	Policies	<p>Insert the following new policy:</p> <p>That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent</p>	Oppose	Disallow	The policy sought on consideration public views is at best a matter of discretion or simply a matter of good landscape assessment practice, not a policy. In the case of Mataka Station, it has already been taken into account.
FS143.51	John Andrew Riddell	S431.162	Natural features and landscapes	Policies	<p>Insert the following new policy:</p> <p>That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent</p>	Oppose	Disallow	Does not give effect to the RPS or the NZCPS, which do not specify the requirement sought in this submission.

FS143.52	John Andrew Riddell	S431.164	Natural features and landscapes	Policies	<p>Insert the following new policy:</p> <p>That the high value of indigenous vegetation to Outstanding Landscapes be taken into account when assessing applications for resource consents.</p>	Oppose	Disallow	The change sought is at best a matter of discretion or good landscape assessment practice, not a policy.
FS143.53	John Andrew Riddell	S431.165	Natural features and landscapes	Policies	<p>Insert the following new policy:</p> <p>That landscape values be protected by encouraging development that takes in account:</p> <p>(a) the rarity or value of the landscape and/or landscape features;</p> <p>(b) the visibility of the development;</p> <p>(c) important views as seen from public vantage points on a public road, public reserve, the foreshore and the coastal marine area;</p> <p>(d) the desirability of avoiding adverse effects on the elements that contribute to the distinctive character of the coastal landscapes, especially outstanding</p>	Support in part	Allow in part	The part of the relief sought that recognises that landscape values may be protected by encouraging development of a certain type is supported. Mataka Station is an example of subdivision and development that protects and enhances landscape and natural character values.

landscapes and natural features, ridges and headlands or those features that have significant amenity value;

(e) the contribution of natural patterns, composition and extensive cover of indigenous vegetation to landscape values;

(f) Maori cultural values associated with landscapes; (g) the importance of the activity in enabling people and communities to provide for their social, economic and cultural well-being.

FS143.54	John Andrew Riddell	S431.035	Coastal environment	Policies	<p>Insert a new policy as per Policy 10.4.1 of the Operative District Plan, as follows:</p> <p>That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</p> <ol style="list-style-type: none">1. Recognises and provides for those features and	Oppose	Disallow	<p>The submission does not give effect to the NZCPS with the outcomes sought better realised by the submission points on CE-01 and CE-02 sought in Bentzen Farm Limited's primary submission (as supported by the further submitter).</p>
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elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and

2. is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and

3. has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and

4. avoids, as far as is practicable, adverse effects which

are more than
minor on
heritage
features,
outstanding
landscapes,
cultural
values,
significant
indigenous
vegetation
and
significant
habitats of
indigenous
fauna,
amenity
values of
public land
and waters
and the
natural
functions and
systems of the
coastal
environment;
and

5. promotes the
protection,
and where
appropriate
restoration
and
enhancement,
of areas of
significant
indigenous
vegetation
and
significant
habitats of
indigenous
fauna; and

6. recognises
and provides
for the
relationship
of Maori and
their culture
and traditions
with their
ancestral
lands, water,
sites, waahi
tapu and
other taonga;
and (g) where
appropriate,
provides for
and, where
possible,
enhances
public access
to and along
the coastal
marine area;
and

7. gives effect to
the New
Zealand
Coastal Policy
Statement
and the
Regional
Policy
Statement for
Northland.

FS143.55	John Andrew Riddell	S431.037	Coastal environment	Policies	<p>Insert a new policy as per Policy 10.4.12 of the Operative District Plan, as follows:</p> <p>That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:</p> <p>(a) the siting of buildings relative to the skyline, ridges, headlands and natural features;</p> <p>(b) the number of buildings and intensity of development;</p> <p>(c) the colour and reflectivity of buildings;</p> <p>(d) the landscaping (including planting) of the site;</p> <p>(e) the location and design of vehicle access, manoeuvring and parking areas</p>	Oppose	Disallow	The relief sought incorrectly seeks to 'minimise' adverse effects on natural character and amenity of the coastal environment which does not give effect to the NZCPS.
FS143.56	John Andrew Riddell	S431.038	Coastal environment	Policies	<p>Insert a new policy as per Policy 10.6.4.3 of the Operative District Plan, as follows:</p> <p>Subdivision, use and development shall preserve and where</p>	Oppose	Disallow	The proposed policy does not give effect to the NZCPS.

possible enhance,
restore and
rehabilitate the
character of the zone
in regards to s6
matters, and shall
avoid adverse effects
as far as practicable by
using techniques
including:

(a) clustering or
grouping
development within
areas where there is
the least impact on
natural character and
its elements such as
indigenous
vegetation, landforms,
rivers, streams and
wetlands, and
coherent natural
patterns;

(b) minimising the
visual impact of
buildings,
development, and
associated vegetation
clearance and
earthworks,
particularly as seen
from public land and
the coastal marine
area;

(c) providing for,
through siting of
buildings and
development and
design of subdivisions,
legal public right of
access to and use of

the foreshore and any esplanade areas;

(d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District;

(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

FS143.57	Kāinga Ora Homes and Communities	S561.003	General	General / Plan Content / Miscellaneous	<p>Insert the following section in the 'How the Plan Works' section of the FNPDP or alternatively similar wording within each section of the Plan in reference to the Restricted Discretionary activities listed in the section. Alternatively this could be included in each chapter of the Proposed District Plan to assist with clarification.</p>	Support	Allow	<p>Restricted discretionary activity applications should be limited as to scope which does not require third party input through submissions.</p>
					<p>Notification:</p>			
					<p>(1) Any application for resource consent for Restricted Discretionary activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:</p>			
					<p>(2) Any application for resource consent for an activity listed as Discretionary or Non-complying will be subject to the normal tests for notification</p>			

under the relevant sections of the Resource Management Act 1991.

FS143.58	Kapiro Conservation Trust	S442.156	Coastal environment	Objectives	Insert additional objectives that address the protection, active management, and restoration of indigenous nature as part of protecting coastal natural character in the Far North District.	Oppose	Disallow	The proposed form of policy is very general and does not give effect to Policy 11 from from the NZCPS which has very precise prescription on the type of Indigenous vegetation and how it is to be managed in the coastal environment.
FS143.59	Northland Federated Farmers of New Zealand	S421.159	Natural features and landscapes	NFL-R6	Delete Rule NFL-R6	Support	Allow	The rule does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature

FS143.60	Northland Federated Farmers of New Zealand	S421.150	Natural features and landscapes	Overview	Amend the Overview to recognise and acknowledge the role that landowners have played and still play in the preservation of outstanding natural landscapes and features	Support	Allow	The further submitter also strongly opposes restricting farming activities within outstanding natural landscapes and features, and agrees with the primary submitter that farming activities are appropriate land use activities that still preserves the character and amenity value of such areas of significance. Mataka Station is an example of this, where landscape, biodiversity and natural character values have been significantly enhanced alongside farming operations.
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FS143.61	Northland Federated Farmers of New Zealand	S421.153	Natural features and landscapes	NFL-P2	Amend Policy NFL-P2 to achieve consistency with section 6 of the Resource Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development	Support	Allow	The further submitter agrees that the Natural Features and Landscape policies need to focus on avoiding inappropriate subdivision, use and development while recognising certain activities can occur as long as they are appropriate for the areas.
FS143.62	Northland Federated Farmers of New Zealand	S421.157	Natural features and landscapes	NFL-R2	Amend PER-1 of Rule NFL-R2 to include additional activities, being farming activities, emergency services work, and biosecurity works	Support	Allow	The further submitter agrees that additional activities be included under the permitted threshold in rule NFL-R2 as part of normal farming practices.

FS143.63	Northland Federated Farmers of New Zealand	S421.158	Natural features and landscapes	NFL-R3	Amend PER-1 of Rule NFL-R3 to include additional activities, being farming activities, emergency services works, and works required for access	Support	Allow	The further submitter agrees that additional farming activities should be included under the permitted threshold in rule NFL-R3
FS143.64	Northland Federated Farmers of New Zealand	S421.159	Natural features and landscapes	NFL-R6	Delete Rule NFL-R6	Support	Allow	The further submitter considers that it is illogical for the Council to require farmers to gain a resource consent if they are farming within an outstanding natural landscape or feature, whether inside or outside of the coastal environment.
FS143.65	Northland Federated Farmers of New Zealand	S421.181	Coastal environment	CE-O1	Amend Objective CE-01 as follows: The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection from inappropriate use, development, and	Support	Allow	The further submitter agrees that Objective CE-O1 as currently worded is not consistent with section 6 of the Resource Management Act 1991.

					subdivision for current and future generations. or wording with similar intent			
FS143.66	Northland Federated Farmers of New Zealand	S421.183	Coastal environment	CE-P2	Amend Objective CE-P2 as follows: Avoid adverse effects of inappropriate development , land use and subdivision on the characteristics and qualities of the coastal environment identified as: ... or wording with similar intent	Support	Allow	Objective CE-P2 as currently worded is not consistent with section 6 of the Resource Management Act 1991
FS143.67	Northland Federated Farmers of New Zealand	S421.184	Coastal environment	CE-P6	Amend Policy CE-P6 so that it specifically provides for new and existing farming activities to occur in the coastal environment as a right	Support	Allow	The further submitter agrees with the submitter that Farmers need to have the ability to diversify and change their farming operations into new areas that still fall under the concept of farming, and that the policy as written would significant limit that.

FS143.68	Northland Federated Farmers of New Zealand	S421.185	Coastal environment	CE-P9	Delete Policy CE-P9	Support	Allow	The further submitter agrees that the policy as proposed is overly restrictive and does not provide for appropriate subdivision and land use to occur. As Mataka Station has shown, it is not possible to undertake sustainable land use change in the coastal environment.
FS143.69	Northland Regional Council	S359.009	General	General / Plan Content / Miscellaneous	Amend the planning maps to align with updated NRC hazard maps (inferred)	Oppose	Disallow	The submission by the NRC seeks to introduce new Hazards Mapping without showing the specific effect of that relief on properties, or providing proper justification, including under section 32 of the RMA.

FS143.70	Our Kerikeri Community Charitable Trust	S338.042	General approach	District Plan Framework	Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately.	Oppose	Disallow	The relief sought to redefine the extent of the coastal environment does not give effect to the NZCPS or the Northland Regional Policy Statement.
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FS143.71

Te Hiku Iwi
Development Trust

S399.056

Sites and
areas of
significance
to Māori

Policies

Insert a new policy as
follows:

Oppose

Disallow

Protect and preserve the culturally significant landscapes identified in iwi/hapū management plans held by Council from inappropriate land use, subdivision and development by:

a) Identifying the Area of Interest for iwi/hapū management plans on planning maps;

b) Recognising and providing for the spiritual, cultural and historical relationship of iwi/hapū with the area identified in the plan(s);

c) requiring that resource consent applications within or adjacent to the sites identified as significant within the relevant iwi/hapū management plan demonstrate that they have had regard to that Management Plan;

d) provide an assessment of consistency with the vision, objectives and desired outcomes

**outlined in the
Management Plan;**

**e) provide an
assessment of effects
on values identified in
the plan and provide,
where relevant,
evidence of outcomes
of consultation with
and/or cultural advice
provided by tangata
whenua.**

**f) considering the
relevant iwi authority
or hapū as an affected
person for any activity
within the area where
the adverse effects are
considered minor or
more than minor.**

The submission seeks that Areas of Interest in iwi/hapū management plans be identified on planning maps, also requiring that resource consent applications within or adjacent to the sites identified as significant within the relevant iwi/hapū management plan demonstrate that they have had regard to that Management Plan. This relief lacks the specificity required on a submission as it does not allow other potentially affected parties to understand the implications of the relief sought, including the spatial extent of the Areas of Interest. The

FS143.72	Te Hiku Iwi Development Trust	S399.053	Historic heritage	Policies	Insert a new policy as follows: HH-P17 Require activities adjacent to or affecting sites of significance to Māori and/or archaeological sites identified in a iwi/hapū management plan or where there is reasonable cause to suspect there is an archaeological site to demonstrate the activity is having appropriate regard to: a) the outcomes of consultation with tangata whenua including the affected hapū and relevant iwi authority; b) any management set out in an iwi/hapū management plan; c) any assessments or advice from a suitably qualified and experienced archaeological expert; and d) the outcomes of consultation with Heritage New Zealand Pouhere Taonga and the Department of Conservation	Oppose	Disallow	identified. The submission seeks that District Plan activities preparation adjacent Areas of Interest in and if not, then iwi/hapu introduced by management way of a Variation to the assessed Proposed Plan, against certain matters. This way of provision is too broadly cast any event, the relief sought to adjacency fails to have lacking the proper regard specificity to the costs and required in a benefits of the policy with approach potentially wide reaching impact required by s32 which will not of the RMA efficiently nor (lacking as it effectively does the protect sites of specificity significance to tangata undertake that) whenua. and should be disallowed.
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FS143.73	Te Rūnanga o Whaingaroa	S486.074	General	General / Plan Content / Miscellaneous	<p>Insert a new section after policies to read:</p> <p>Information to be included with an application for a resource consent affecting tāngata whenua.</p> <p>Every resource consent application within the scope of policy TW-P6 must be accompanied by information addressing all the matters to be considered under TW-P6.</p>	Oppose	Disallow	<p>The change sought is neither effective nor efficient. The matters set out in the policy may not be relevant to all classes of applications such as controlled activities and restricted discretionary activities, or relevant to all types as proposals. As a policy of the Distract Plan, regard is required to be had in any event to the matters in the policy, to the extent that they are relevant, under section 104 of the RMA without the need for further prescription in the District Plan.</p>
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FS143.74	Vision Kerikeri (Vision for Kerikeri and Environs, VKK)	S522.028	General approach	District Plan Framework	Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately.	Oppose	Disallow	The relief sought to redefine the extent of the coastal environment does not give effect to the NZCPS or the Northland Regional Policy Statement.
FS143.74	Kapiro Conservation Trust	S449.042	Planning maps	General / Miscellaneous	Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately.	Oppose	Disallow	The relief sought to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas is contrary to the RPS and the NZCPS.

FS143.75	Far North District Council	S368.099	Planning maps	Rural Production Zone	Amend the zoning of parcel 4861315 (Mataka Station) from Rural Production to Natural Open Space. Make any further changes to the PDP where and if the same issue arises.	Support in part	Allow in part	The submission is supported to the extent that the re-zoning to Natural Open Space is confined to the reserve land in Parcel ID 4861315 which is Zoned Conservation in the Operative District Plan. Its application to other un-identified locations as implied in the submission is not supported on the grounds that this relief lacks the specificity required of a submission.
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FS143.75	Bentzen Farm Limited	S167.109	Planning maps	Rural Production Zone	Delete the Rural Production zoning of the following properties at Ōmarino, Manawaora Road (as mapped in the submission), and zone either Rural Lifestyle or create new Special Purpose Zone Ōmarino : Lot 1 Deposited Plan 391213 Lot 2 Deposited Plan 391213 Lot 3 Deposited Plan 391213 Lot 4 Deposited Plan 391213 Lot 5 Deposited Plan 391213 Lot 6, 21 Deposited Plan 391213 Lot 7 Deposited Plan 391213 Lot 8, 20 Deposited Plan 391213 Lot 9 Deposited Plan 391213 Lot 10 Deposited Plan 391213 Lot 11 Deposited Plan 391213 Lot 12 Deposited Plan 391213	Support in part	Allow
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Lot 14 Deposited Plan
391213

Lot 15 Deposited Plan
391213

Lot 17, 19 Deposited
Plan 391213

Lot 18 Deposited Plan
391213

Lot 16 Deposited Plan
512589

Lot 25 Deposited Plan
512589

If a new Special Purpose Zone: Ōmarino is created - amend Part 3 – Area Specific Matters to include appropriate objectives, policies and rules to enable residential activity and associated buildings as a controlled activity where they are in accordance with resource consents granted for Ōmarino and consent notices applying on the titles and located on a consented house site, and to enable conservation, recreation and common facilities.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource

consents is consistent with the outcome sought in submissions for Mataka Station and is generally supported. This includes the need to recognise the special characterises of properties such as the submitter's and the further submitter's through the application of a special purpose zone and/or structure plan.

FS143.76	Paradise Found Developments Limited	S346.001	General	General / Plan Content / Miscellaneous	Amend the Proposed District Plan to explicitly, and specifically provide for, and preserve the activities and land uses authorised under the resource consents approved for Wiroa Station, 40 McKenzie Road, Purerua Peninsula, Kerikeri (being Lots 1-21 DP 497523); and/or	Support	Allow
					Insert a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) enabling the residential activity and development authorised by the resource consents approved for Wiroa Station as a permitted activity as well as appropriate activities within the Rural Production Zone, regardless of the provisions of the Coastal Environment and Coastal Flooding and/or		
					Otherwise amend the provisions of the Proposed District Plan to preserve the activities and buildings authorised by the resource consents		

approved for Wiroa Station

Otherwise amend the provisions of the Proposed District Plan to provide for extensions and alterations to existing structures at Wiroa Station, in a manner consistent with the activities and buildings authorised by the resource consents approved for Wiroa Station.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource

consents is consistent with the outcome sought in submissions for Mataka Station and is supported. This includes the need to recognise the special characterises of properties such as the submitter's and the further submitter's through the application of a special purpose zone and/or structure plan.

FS143.77	Paradise Found Developments Limited	S346.002	General	General / Plan Content / Miscellaneous	Amend the Proposed District Plan to explicitly, and specifically provide for, and preserve the activities and land uses authorised under the resource consents approved for Wiroa Station, 40 McKenzie Road, Purerua Peninsula, Kerikeri (being Lots 1-21 DP 497523); and/or	Support	Allow
					Insert a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) enabling the residential activity and development authorised by the resource consents approved for Wiroa Station as a permitted activity as well as appropriate activities within the Rural Production Zone, regardless of the provisions of the Coastal Environment and Coastal Flooding and/or		
					Otherwise amend the provisions of the Proposed District Plan to preserve the activities and buildings authorised by the resource consents		

approved for Wiroa Station

Otherwise amend the provisions of the Proposed District Plan to provide for extensions and alterations to existing structures at Wiroa Station, in a manner consistent with the activities and buildings authorised by the resource consents approved for Wiroa Station.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource

consents is consistent with the outcome sought in submissions for Mataka Station and is supported. This includes the need to recognise the special characterises of properties such as the submitter's and the further submitter's through the application of a special purpose zone and/or structure plan.

FS143.78	Paradise Found Developments Limited	S346.003	General	General / Plan Content / Miscellaneous	<p>Amend the Proposed District Plan to explicitly, and specifically provide for, and preserve the activities and land uses authorised under the resource consents approved for Wiroa Station, 40 McKenzie Road, Purerua Peninsula, Kerikeri (being Lots 1-21 DP 497523); and/or</p> <p>Insert a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) enabling the residential activity and development authorised by the resource consents approved for Wiroa Station as a permitted activity as well as appropriate activities within the Rural Production Zone, regardless of the provisions of the Coastal Environment and Coastal Flooding and/or</p> <p>Otherwise amend the provisions of the Proposed District Plan to preserve the activities and buildings authorised by the resource consents</p>	Support	Allow
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approved for Wiroa Station

Otherwise amend the provisions of the Proposed District Plan to provide for extensions and alterations to existing structures at Wiroa Station, in a manner consistent with the activities and buildings authorised by the resource consents approved for Wiroa Station.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource

consents is consistent with the outcome sought in submissions for Mataka Station and is supported. This includes the need to recognise the special characterises of properties such as the submitter's and the further submitter's through the application of a special purpose zone and/or structure plan.

FS143.79	Paradise Found Developments Limited	S346.004	Planning maps	General / Miscellaneous	<p>Amend the Proposed District Plan to explicitly, and specifically provide for, and preserve the activities and land uses authorised under the resource consents approved for Wiroa Station, 40 McKenzie Road, Purerua Peninsula, Kerikeri (being Lots 1-21 DP 497523); and/or</p> <p>Insert a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) enabling the residential activity and development authorised by the resource consents approved for Wiroa Station as a permitted activity as well as appropriate activities within the Rural Production Zone, regardless of the provisions of the Coastal Environment and Coastal Flooding and/or</p> <p>Otherwise amend the provisions of the Proposed District Plan to preserve the activities and buildings authorised by the resource consents</p>	Support	Allow
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approved for Wiroa Station

Otherwise amend the provisions of the Proposed District Plan to provide for extensions and alterations to existing structures at Wiroa Station, in a manner consistent with the activities and buildings authorised by the resource consents approved for Wiroa Station.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource

consents is consistent with the outcome sought in submissions for Mataka Station and is supported. This includes the need to recognise the special characterises of properties such as the submitter's and the further submitter's through the application of a special purpose zone and/or structure plan.

FS143.80	MLP LLC	S183.001	General	General / Plan Content / Miscellaneous	<p>Insert a new Special Purpose Zone for "The Landing Precinct" under 'Part 3 – Area Specific Matters' of the Proposed Plan, including objectives, policies and rules to enable residential activity and buildings as a permitted activity where they are within a residential lot, and enable farming, conservation, recreation and common facilities where they are in accordance with the Landing Scheme as well as other activities appropriate for this locality including farming and other Rural Production activities.</p> <p>Insert appropriate permitted activity standards, including but not limited to the following:</p> <ul style="list-style-type: none"> i. The dwelling shall be located on a residential lot; ii. Maximum height = 12m above existing ground level; iii. Building or structure coverage = 12.5%; iv. Compliance with the design guidelines for new structures within 	Support	Allow
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the land covenants for each house site title.

A special purpose zone and/or structure plan is appropriate to apply to subdivision and development such as the submitter's property, where previous resource consents have established development entitlements together with considerable landscape and biodiversity benefits. The Proposed District Plan will restrict development of the property in a manner inconsistent with these resource consents, including approved but unimplemented development on the property. The relief sought to provide for and preserve activities authorised under the

resource
consents is
consistent with
the outcome
sought in
submissions for
Mataka Station
and is
supported. This
includes the
need to
recognise the
special
characterises of
properties such
as the
submitter's and
the further
submitter's
through the
application of a
special purpose
zone and/or
structure plan.