



Submission on Proposed Far North District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Far North District Council - District Planning

Date received: 20/10/2022

This is a submission on the following proposed plan (the **proposal**): Proposed Far North District Plan

Address for service:

Tristan Simpkin
49 Matthews Ave Kaitaia Kaitaia 0410
New Zealand
Email: tsimpkin@arcline.co.nz

I wish to be heard: No

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- No

Submission points

Point 73.1 **S287.001**

Section: Coastal environment

Sub-section: Rules

Provision:

[Coastal environment](#)

Activity status: Permitted

Activity status where compliance not achieved with PER-1:

Where:

Discretionary (inside a high natural character area)

PER-1

If a new [building](#) or [structure](#) is located in an [urban](#) zone it is:

1. no greater than 300m².
2. located outside high or outstanding natural character areas.

PER-2

If a new [building](#) or [structure](#) is not located within an [urban](#) zone it is:

1. ancillary to [farming](#) activities (excluding a [residential unit](#)).
2. no greater than 25m².
3. located outside outstanding natural character areas.

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 addition to an existing [building](#) or [structure](#), complies with standards:

[CE-S1 Maximum height](#).

[CE-S2 Colours and materials](#).

Non-complying (inside an outstanding natural character area)

Activity status where compliance not achieved with PER-2:

Discretionary (outside an outstanding natural character area)

Non-complying (inside an outstanding natural character area)

Activity status where compliance not achieved with PER-3 or PER-4:

Discretionary

Sentiment: Oppose

Submission:

The maximum size of 300m² is too restrictive. There is a large quantity of homes being designed and built that are over 300m² and to make it mandatory to get a resource consent is just slowing the project down, especially when a home might be 305m².

In terms of a house - whether it's 200m² or 500m² it is actually providing a very similar visual impact because often larger homes hide the space.

Relief sought

Please remove the 300m² maximum floor area.

Point 73.2 **S287.002**

Section: Coastal environment

Sub-section: Standards

Provision:

[Coastal environment](#)

The exterior surfaces of [buildings](#) or [structures](#) shall:

1. be constructed of materials and/or finished to achieve

Where the standard is not met, matters of discretion are restricted to: Not applicable

- 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**.

Sentiment: Support in Part

Submission:

There is no allowance for timber i.e. cedar/larch, or concrete, steel, aluminium finishes. Referencing the BS5252 colour palette means that the color has to be painted, whereas it is beneficial in many coastal areas to use natural products like timber cladding with stained finishes.

Relief sought

Maybe the words should be 'if the exterior surface is painted, it must have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette'

Point 73.3 **S287.003**

Section: Coastal environment

Sub-section: Standards

Provision:

[Coastal environment](#)

1. The maximum [height](#) of any new [building](#) or [structure](#) above [ground level](#) is 5m and must not exceed the [height](#) of the nearest ridgeline, headland or peninsula.
2. Any extension to a [building](#) or [structure](#) must not exceed the [height](#) of the existing [building](#) above [ground level](#) or exceed the [height](#) of the nearest ridgeline, headland or peninsula.

Where the standard is not met, matters of discretion are restricted to: Not applicable

This standard does not apply to:

- i. The Orongo Bay zone

Sentiment: Oppose

Submission:

A maximum height of 5m for any standard house or building is very difficult to achieve.

To add to this, most of the coastal land in the Far North is sloping, and we are now forced by the definition of 'Height' to only use Rolling Height as a method (average height method has been removed) so therefore nearly all new homes will breach this maximum height rule.

I'll explain:

- assume a flat building site
- FFL will be around 700mm for a timber floor
- Stud Height 2550 or 2700
- Truss Height approx 2000
- = over 5m already for a very standard home.
- add a sloping site to this scenario and all of a sudden the breach is large.

Relief sought

No zone in the old DP had a max height of under 8m.

It is not possible to build a house on a sloping site without breaching a 5m maximum height, which will mean hundreds of additional needless resource consents for FNDC to process.

Please leave it at 8m as per the old DP.

Point 73.4 S287.004

Section: Ecosystems and indigenous biodiversity

Sub-section: Rules

Provision:

All zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1 or PER-2: Discretionary

Where:

PER-1

1. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a [Significant Natural Area](#) and it is submitted to [Council](#) 14 days in advance of the clearance being undertaken; and
2. It does not exceed the following amounts per [site](#) over a 5-year period:
 - i. Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000m² if not in a [remnant forest](#), otherwise 500m² in a [remnant forest](#);
 - ii. All other zones – 500m².

PER-2

1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a [Significant Natural Area](#) and a report has not been submitted to [Council](#) 14 days in advance of the clearance being undertaken; and
2. It does not exceed 100m² per [site](#) in any calendar year.

Note: This rule only has immediate legal [effect](#) for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a [Significant Natural Area](#) has not been obtained).

Sentiment: Oppose

Submission:

This rule therefore means that even the smallest group of trees will require an ecologist report, adding several thousand dollars to many home builds across the district. Rules like this are not helping housing become more affordable at all.

Relief sought

Remove the rule.

Point 73.5 S287.005

Section: Mixed use

Sub-section: Rules

Provision:

Mixed Use zone

Activity status: Permitted

Activity status where compliance not achieved with PER-1: Discretionary

Where:

PER-1

The [residential activity](#) is within a [residential unit](#) that is located above the ground floor level of a [building](#) unless the [residential unit](#) existed at 27 July 2022.

Sentiment: Oppose

Submission:

Residential activities should be permitted on the ground floor also.

There are many places in the mixed use zone that aren't likely going to be for retail activities (King St in Kerikeri for example), and more-so for townhouse developments. And when designing townhouses, putting the living spaces above the ground floor is a lot more expensive - plumbing, drainage, outdoor spaces i.e. decks etc.

Relief sought

Allow residential living activities on ground floors of buildings also.

Point 73.6 S287.006

Section: General residential

Sub-section: Standards

Provision:

General Residential zone

The [building](#) or [structure](#), or extension or alteration to an existing [building](#) or [structure](#) must be set back at least 1.2m from all [site](#) boundaries, except that the [setback](#) must be at least 3m measured from a [road boundary](#).

Where the standard is not met, matters of discretion are restricted to:

- a. the character and amenity of the surrounding area;
- b. screening, planting and [landscaping](#) on the

This standard does not apply to:

- i. Fences or walls no more than 2m in [height](#) above [ground level](#).
- ii. uncovered decks no more than 0.5m above [ground level](#)

- [site](#);
- c. the design and siting of the [building](#) or [structure](#) with respect to privacy and shading;
- d. [natural hazard](#) mitigation and [site](#) constraints;
- e. the effectiveness of the proposed method for controlling [stormwater](#);
- f. the safety and efficiency of the current or future roading network; and
- g. the impacts on existing and planned public walkways, reserves and esplanades.

Sentiment: Oppose

Submission:

General Residential Setbacks needs 'no setback' for 10m

The old/current district plan allows for no setback for 10m along a boundary in the general residential zone.

This is a very handy rule as residential sites often have retaining walls taking surcharge (and are therefore a building) which can take advantage of this provision.

Designing homes to fit on tight residential sections is tricky, and having this 10m provision for 'no setback' assists designers greatly.

Relief sought

For building setback in the General Residential zone, allow a 10m 'no setback' on any boundary - as per Operative Plan

Point 73.7 **S287.007**

Section: Subdivision

Sub-section: Standards

Provision:

All zones

Any [subdivision](#) involving the creation of one or more [allotments](#) less than 4ha which adjoins:

1. The line of [MHWS](#);
2. The bank of a [river](#) whose [bed](#) has an average width of 3m or more; and
3. A [lake](#) that is larger than 8 ha in size.

An [esplanade reserve](#) must be provided with a minimum width of 20m, in accordance with section 230 of the [RMA](#).

Activity status when compliance is not achieved: Discretionary

Sentiment: Support in Part

Submission:

Esplanade Strips need to be an option

There needs to be allowance made for esplanade strips, as well as reserves. Sometimes they are more suitable for a development, and council has enough reserves which they are unable to maintain, so it makes more sense to vest it in the owners name to look after it.

Relief sought

Point 73.8 **S287.008** **S287.009**

Section: Ecosystems and indigenous biodiversity

Sub-section: Rules

Provision:

All zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1 or PER-2: Discretionary

Where:

PER-1

1. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a [Significant Natural Area](#) and it is submitted to [Council](#) 14 days in advance of the clearance being undertaken; and
2. It does not exceed the following amounts per [site](#) over a 5-year period:
 - i. Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000m² if not in a [remnant forest](#), otherwise 500m² in a [remnant forest](#);
 - ii. All other zones – 500m².

PER-2

1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a [Significant Natural Area](#) and a report has not been submitted to [Council](#) 14 days in advance of the clearance being undertaken; and
2. It does not exceed 100m² per [site](#) in any calendar year.

Note: *This rule only has immediate legal effect for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a [Significant Natural Area](#) has not been obtained).*

Sentiment: Oppose

Submission:

Oppose SNA Maps and requirement of Ecologist report

FNDC had originally withdrawn the SNA maps. With this new rule they are being snuck back in, and then also forcing anyone with bush on their property

to get an ecologist report (\$\$\$) to prove that its not an SNA.

So that tells us that all bush is regarded as an SNA 'unless proved otherwise' - which is a costly activity.

This is not incentivising people to plant trees and create wetlands, because of the control over that area once it's matured. Far North residents will be better off to not plant anything.

This therefore is a loss of property and property rights.

Relief sought

Allow us to be stewards of our own land and trees and bush we've planted.

Remove the requirement for the ecologist report, it's another red tape item which adds to the cost of building and developing, driving the cost of living upwards.

Delete SUB-R17 as this does not protect SNAs.