



## 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:** 17/10/2022

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

**Address for service:**

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New Zealand  
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**I wish to be heard:** Yes

**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 32.1** **S90.001**

**Section:** Planning Maps

**Sentiment:** Oppose

**Submission:**

Opito Bay is a built up residential area and is zoned coastal settlement. The Coastal environment overlay puts unreasonable conditions on an area that contains single and multi story dwellings and very small cottages, some of them the very original

dwellings constructed in the bay.

The Coastal Environment overlay is applied in a blanket manner that disregards long established settlements and applies rules for new builds or alterations that are inconsistent to the existing buildings and with the intent of the settlement zone.

**Relief sought**

The remedy I seek is that the Coastal Environment overlay is inappropriate to Opito Bay and should be deleted from the planning maps.

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**Point 32.2**    **S90.002**

**Section:** Coastal environment

**Sentiment:** Oppose

**Submission:**

Opito Bay is a built up residential area and is zoned coastal settlement. The Coastal environment overlay puts unreasonable conditions on an area that contains single and multi story dwellings and very small cottages, some of them the very original dwellings constructed in the bay.

The Coastal Environment overlay is applied in a blanket manner that disregards long established settlements and applies rules for new builds or alterations that are inconsistent to the existing buildings and with the intent of the settlement zone.

The Coastal environment overlay applies district wide and does not take into account the differences in the levels of development existing in particular areas (which have been established under the provisions in the current operative district plan). For this reason it is inappropriate to have blanket provisions applying throughout the Coastal environment overlay. For example, if retained, the provisions applying for Opito Bay should be changed to align with the level of existing development which has created a built up environment adjacent to the coast, i.e. it is not pristine.

**Relief sought**

Delete the Coastal Environment overlay from built up areas, for example Opito Bay where it is highly inappropriate, or create sublayers in the Coastal environment overlay to have regard to differing levels of development.

I wish to reserve the right to comment further on any new provision Council may introduce as a result of this submission point.

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**Point 32.3**    **S90.003**

**Section:** Settlement

**Sub-section:** Standards

**Provision:**

<b>RSZ-S2</b>	<b>Height in relation to boundary</b>	
<b>Settlement zone</b>	The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:  1. 55 degrees at 2m above ground level at the northern boundary of the site;	<b>Where the standard is not met, matters of discretion are restricted to:</b>  a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and

2. 45 degrees at 2m above ground level at the the eastern and western boundaries of the site;
3. 35 degrees at 2m above ground level at the southern boundary of the site.

- c. outdoor areas; and
- c. natural hazard mitigation and site constraints.

**This standard does not apply to**

- i. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation.
- ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation.
- iii. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation.
- iv. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation.
- v. a building or structure that exceeds this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided the maximum height of the building where it exceeds the standard is 2.7m.

**Sentiment:** Oppose

**Submission:**

The Proposed Plan changes the sunlight rules without any justification in the section 32 reports to indicate the basis of the change. Therefore it is not known whether the current rules are working or if the degree of change proposed is warranted. Further information is needed.

**Relief sought**

Retain the existing standards in the District. I wish to reserve the right to comment further on any new provision Council may introduce as a result of this submission point.

**Point 32.4**      **S90.004**

**Section:** Settlement

**Sub-section:** Standards

**Provision:**

<b>RSZ-S7</b>	<b>Landscaping and screening</b>	
<b>Settlement zone</b>	1. Where a site adjoins a road boundary, at least 50% of that part of the site which is not occupied by buildings, structures or driveways shall be screened or landscaped with either:	<b>Where the standard is not met, matters of discretion are restricted to:</b>

- i. a solid fence or wall of a minimum height of 1.8m; or
  - ii. be landscaped with plants or trees with a minimum height of 1m at planting which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
  - iii. be screened with a combination of (a) and (b) above.
2. Where a internal boundary adjoins any site that is not zoned Rural Production it shall be screened or landscaped with either:
- i. be fenced with a solid fence or wall of a minimum height of 1.8m; or
  - ii. be landscaped with plants or trees of a minimum height of 1m at planting which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
  - iii. be screened with a combination of (i) and (ii) above.
- a. the streetscape and amenity of the surrounding area;
  - b. topographical or other site constraints making compliance with this standard impractical;
  - c. the amenity of adjoining properties; including that on the outdoor living space;
  - d. the scale of the building or structures and their distance from the boundary;
  - e. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
  - f. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

**Sentiment:** Oppose

**Submission:**

The standard is unduly restrictive. For example the Opito Bay settlement currently enjoys an open space environment where fences and screenings are minimal and there is a street vista which is open, accessible and reflects the close community ethos which prevails. The requirements in the standard will destroy this and create private fortresses. The deletion of the standard won't prevent owners wanting this degree of privacy from establishing it. It is noted that if RSZ-S7 is deleted, the rules relating to impermeable surfaces will still ensure a level of landscaping on most sites thereby also contributing to amenity as well as stormwater management.

**Relief sought**

Delete RSZ-S7