

Far North Proposed District Plan

Addendum to 'Summary of Decisions Requested' (Notified 13 March 2024)



The Summary of Decisions Requested by Submitters in relation to the Far North Proposed District Plan has been amended by the addition or correction of submission points that were omitted in error or summarised incorrectly. This report updates, and should be read in conjunction with, the 'Summary of Decisions Requested' (notified on 7 August 2023).

This addendum contains two tables:

- **Table 1** shows corrections to errors made in the 'Summary of Decisions Requested' that was notified 7 August 2023 **(5 submission points)**
- **Table 2** shows submission points that were omitted from the 'Summary of Decisions Requested' that was notified 7 August 2023 **(11 submission points)**

The original submission should be referred to if you are seeking to understand the issues raised by a submitter, or reasons for a request. You can find copies of all original submissions at: [Original submissions list Far North District Council \(fndc.govt.nz\)](https://fndc.govt.nz)

Further submissions are now invited on the additional submission points in the Addendum to the Summary of Decisions Requested only. Further submissions must be made in the prescribed format (using Form 6).

The closing date for further submissions on the decisions requested in this addendum to be received by Far North District Council is Thursday 28 March 2024.

Table 1: Corrections to Submission Points in the ‘Summary of Decisions Requested’

Corrections to the ‘Summary of Decisions Requested’ are recorded in red text below.

Submitter	Submission Point	Plan Section	Provision	Position	Reasons	Decision Requested	Summary of correction to original submission point
Brownie Family Trust	S74.006	Mixed use	Overview	Support in part	The phrases “The Mixed-Use zone provides a framework in which commercial and residential activities can coexist and it enables a range of compatible activities” and “...limited residential activities” are at odds with each other. If there is an appropriate framework for commercial and residential activities to co-exist established, why is it necessary to limit residential activities? The limitation should be removed.	Amend the overview (inferred) to read as follows: <i>...” and beverage establishments as well as social and educational services, with limited residential activities.”</i>	Correction to decision requested to delete the word ‘limited’, which was omitted from the ‘Decision Requested’, to accurately reflect the relief sought by the original submission.
Ed and Inge Amsler	S341.002	Mixed use	MUZ-P2 MUZ-R2	Oppose	The rationale for limiting office space in a commercial / mixed use zone is not clearly known. The type of activity should be supported, especially where other provisions seek to require bottom floor commercial uses, prior to residential activities being permitted. By using a GFA approach, the proposal also limits the intention of ‘building up’ as indicated by the MUZ height rules. The rule is not consistent with MUZ-R1-PER-2 which allows for 400m ² GFA coverage and seems to work against an office space activity specifically.	Delete the requirements which limit office coverage to 200m ² GFA in MUZ-R2 Commercial Activity - PER-2.	Change to the provision from policy MUZ-P2 to Rule MUZ-R2 for accuracy.

Submitter	Submission Point	Plan section	Provision	Position	Reasons	Decision Requested	Summary of correction to original submission point
Northland Federated Farmers of New Zealand	S421.203	Genetically modified organisms	Rules	Support Oppose	Federated Farmers is not supportive of Councils dealing with genetically modified organisms through a restrictive process. The Environmental Protection Authority (EPA) has been tasked with the control and management of genetically modified organisms. For Councils to then seek to restrict these organisms results in the doubling the consenting process and paperwork for a farmer as well as unnecessary duplication. The EPA controls the consent process which is strictly monitored and restricted to ensure that the trials are successful and do not cause damage to the environment and local communities.	Delete the restrictions on the control and management of genetically modified organisms and replace with reference to the processes and controls imposed by the EPA	Correct the submitter position from 'support' to 'oppose'.
Foodstuffs North Island Limited	S363.013	Heritage area overlays	HA-R1	Not Stated <u>Support in part</u>	The submitter considers that rule HA-R1 Maintenance and repair of buildings or structures, means that any redevelopment of the Russell Four Square building within The Strand Precinct site is likely to require resource consent as a discretionary activity and that this is onerous when the scope of potential effects is limited and well understood, a restricted discretionary activity default is supported. <u>Russell Four Square is located within Kororareka Russell Heritage Area Part A (The Strand). It is a permitted activity to undertake maintenance and repair of</u>	Amend rule HA-R1 Maintenance and repair of buildings or structures, to provide for the activity as a restricted discretionary activity status, within the Kororareka Russell Heritage Area overlay. <u>Retain the default restricted activity status for Rule HA-R1</u>	Amend submission position, reasons and decision requested to accurately reflect the relief sought (support for default restricted activity status for Rule HA-R1). Additional related submission points have been added to Table 2 below.

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					<p><u>the building (HAR1) provided that the structure of the building is not altered and the existing visual appearance of the building is not changed, and any painting or repainting complies with heritage colours specified (HA-S2).</u></p> <p><u>Foodstuffs generally support the concept heritage areas, and recognise the importance of the Russell Four Square building within The Strand Precinct. Restricted discretionary activity default activity status is generally supported because the scope of potential effects are limited and well understood.</u></p>		
Michael John Winch	67.019	Planning maps	Rural Production Zone	Support <u>Oppose</u>	I oppose the Rural Production zoning of my land and surrounding properties at Henderson Bay. My land and the surrounding properties comprise 4 to 6 ha blocks of land largely covered with a mix of native and exotic trees. Most of the properties have residential units. The land is not suitable for farming or productive forestry and should not be zoned Rural Production. The land and current land use is more appropriately zoned Rural Lifestyle.	Rezone from Rural Production to Rural Lifestyle the area of land on Otaipango Road and the end of Henderson Bay Road (Lots 1 to 31 DP 72042, Lots 1 & 2 DP 336030 and Lots 1 & 2 DP 410588).	Correct the submitter position from 'support' to 'oppose'.

Table 2: Submission points omitted from the Summary of Decisions Requested

Submitter	Submission Point	Plan Section	Provision	Position	Reasons	Decision Requested
Te Runanga o Ngati Rehia	S559.053	Description of the district	Significant Resource Management Issues	Oppose	Submitter agrees with all the issues raised in the Significant Resource Management Issues section, however notes that water resilience and reliable water supply is missing from the list of significant issues and needs to be incorporated into this section.	Insert a new Significant Resource Management Issue for water resilience and reliable water supply.
Te Runanga o Ngati Rehia	S559.054	Description of the district	Significant Resource Management Issues	Support	Submitter agrees with the Significant Resource Management Issues raised within the Description of the District section.	Retain the existing Significant Resource Management Issues as notified
Arawai Limited	S581.001	SCHED3 - Sites and areas of significance to Māori	SCHED3 - Sites and areas of significance to Māori	Not Stated	There appears to be a clear error in Schedule 3: Schedule of Sites and Areas of Significance to Māori, being the location recorded for MS05-38.	Delete Site of Significance to Māori MS05-38 from the site legally described as Okokori B IX Rangaunu SD, located at Aurere, Tokerau Beach.
Foodstuffs North Island Limited	S363.038	Heritage area overlays	HA-R2	Oppose	The submitter considers that Rule HA-R2 Additions or alterations to existing buildings or structures, means that any redevelopment of the Russell Four Square building within The Strand Precinct site is likely to require resource consent as a discretionary activity and that this is onerous when the scope of potential effects is limited and well understood, a restricted discretionary activity default is supported.	Amend Rule HA-R2 Additions or alterations to existing buildings or structures, to provide for the default activity status as a restricted discretionary, within the Kororareka Russell Heritage Area overlay.
Foodstuffs North Island Limited	S363.039	Heritage area overlays	HA-R5	Oppose	The submitter considers that Rule HA-R5 Earthworks, means that any redevelopment of the Russell Four Square building within The Strand Precinct site is likely to require resource consent as a discretionary activity and that this is onerous when the scope of potential effects is limited and well understood, a restricted discretionary activity default is supported.	Amend Rule HA-R5 Earthworks, to provide for the default activity status as a restricted discretionary, within the Kororareka Russell Heritage Area overlay.
Foodstuffs	S363.040	Heritage area	HA-R8	Oppose	The submitter considers that Rule HA-R8 New buildings	Amend Rule HA-R8 New buildings or

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North Island Limited		overlays			or structures, means that any redevelopment of the Russell Four Square building within The Strand Precinct site is likely to require resource consent as a discretionary activity and that this is onerous when the scope of potential effects is limited and well understood, a restricted discretionary activity default is supported.	structures, to provide for the default activity status as a restricted discretionary activity, within the Kororareka Russell Heritage Area overlay.
Miles Valentine	S265.001	Planning maps	Rural Production Zone	Oppose	The reason to justify this submission is that there are already approximately 30 rural lifestyle lots along the western side of the road (from the southern location named "Kawakawa" on the eplan). None of them are at a scale that justifies or could be designated "rural production". They are ALL less than 10ha already (most being less than 4ha) so to make this the minimum for "future" subdivision doesn't make sense as there are no lots that fit within this category. The area already fits the "rural lifestyle" definition. This definition describes the existing character of this area. As most of this land is very poor agricultural land, with the area towards Rangiputa having a sandstone pan just below the topsoil that means that horticulture is unsuitable as well	Amend the zoning on the western side of Rangiputa Road, from Rural Production to Rural Lifestyle.
Gabriele Pfander	S582.001	Planning maps	Rural Residential Zone	Not stated	Considering the proposed district plan, land-use and development in our district, submitter is thinking of future proof planning. With the thoughts of natural hazard and climate change, submitter encourages amending the zoning of the property 97 Okahu Road, Kaitaia, into residential zoning (at least the top areas of the block). The reasons are obvious; urged requirement of new housing on hillsides of Kaitaia and out of flood zone areas.	Amend the zoning of 97 Okahu Road, Kaitaia (being Part Allotment 99 Parish of Ahipara), from Rural Residential to General Residential zone.
Lucklaw Farm Ltd	S585.001	Coastal environment	Rules	Not Stated	The submitter, Lucklaw Farm Ltd, is concerned with the current level of vehicle usage at beach and dune areas in the Far North (including in and around the foreshore	Insert a comprehensive rule in the FNDC district plan which sets out standards for vehicle access on beaches and restricts use of

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					<p>and coastal marine area) and seeks better protection of these areas through more restrictive rules on vehicle use in these areas. The New Zealand Coastal Policy Statement 2010 ('NZCPS') is to be applied as required by persons exercising functions and powers under the Resource Management Act 1991. District Plans must give effect to the NZCPS (s75(3)(b), RMA). Policy 20 of the NZCPS relates specifically to the use of vehicles on beaches and provides that those exercising powers under the RMA "control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where...(a) damage to dune or other geological systems and processes; (b) harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding area and shellfish beds..." Under Rule C.1.5.1. (vehicles on beaches) of the proposed Northland Regional Plan as notified, it is stated that "District Councils may also have bylaws that control (including prohibiting) the use of vehicles on beaches as well as dunes...compliance with Rules C.1.5.1. and C.1.5.1A does not remove the need to comply with all relevant bylaw provisions". Lucklaw Farm acknowledges that the previous Far North District Council (FNDC) bylaw on vehicles on beaches (Vehicles on Beaches Bylaw 2015) was automatically revoked in 2022 by operation of s160A of the Local Government Act 2002. Part 8 of the Road Use Bylaw 2022 now contains those rules related to vehicle use on beaches in the Far North. Under the Part 8 of the Road Use Bylaw, vehicles are only prohibited at Coopers Beach (see Schedule 6, Road Use Bylaw), and there are no beaches or parts of beaches where vehicle use is restricted (see Schedule 7, Road Use Bylaw). The Road Use Bylaw does not contain any other rules related to vehicle usage on beaches.</p>	<p>beaches (including sand dunes, the foreshore and seabed area) by vehicles except for specific purposes, in order to preserve the natural character and biodiversity of beaches in the Far North. Rules are sought to similar effect as Schedule 1 (an extract from Bay of Plenty Regional Coastal Environment Plan, Rule DD7 vehicle access on beaches), but in addition the rule for the Far North would apply to the entirety of the beach area including that area of beach above the mean high-water springs and including the sand dunes. Suggested rule wording is provided in attachment provided with Submission 585.</p>

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					Lucklaw Farm submits that the more detailed rules and standards regarding vehicle usage on beaches should be contained within the FNDC District Plan.	
Trent Simpkin	S283.041	Light Industrial	LIZ-R1	Oppose	The impermeable surfaces rule is one of the most common rules breached when designing homes. The low thresholds therefore mean many homes will still require a resource consent for impermeable surfaces. All RC's breaching impermeable surfaces require a TP10/Stormwater report from an engineer (already). This is a detailed design of the stormwater management onsite and shouldn't require FNDC to look at it and tick the box to say it's acceptable. Why don't we have a PER-2 which says that if a TP10 report is provided by an engineer, it's permitted? (one solution to reduce the number of RC's for Council to process and assist with getting back to realistic processing times). This submission point applies to all zones.	Amend to increase impermeable surface coverage maximum to be realistic based on the size of lots allowed for the zone and/or insert a PER-2 which says if a TP10 report is provided by an engineer, the activity is permitted (inferred)
Far North District Council	S246.001	FNDC - Far North District Council (FN) – Designations Schedule	Designation FN164 - Hihi Wastewater Treatment Plant	Support in part	The mapped extent of designation FN164 in the PDP is accurate (because it includes the stormwater tanks at the rear of the Wastewater Treatment Plant) but the PDP designation schedule is not. The designation schedule should be updated to match the extent of the designation on planning maps and to refer to the correct legal description (rolled over from the accurate legal description described in the Operative District Plan schedule, being Lot 78, DP73991, 0.0401ha and part of lot 71, DP 73991, 0.016ha).	Amend Designation Schedule for Designation FN164 (Hihi Wastewater Treatment Plant), Site Identifier (to match the proposed and accurate mapped extent of the designation) as follows: Lot 78, DP73991, 0.0401ha <u>and part of lot 71, DP 73991, 0.016ha.</u>