

Form 5

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

[Clause 6](#) of Schedule 1, Resource Management Act 1991

To Far North District Council

Name of submitter: Mark John Wyborn

This is a submission on the Proposed District Plan for the Far North District. (the **proposal**):

I could not gain an advantage in trade competition through this submission.

I am 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.

The specific provisions of the proposal that my submission relates to are:

The identification of High Natural Character (*HNC*), Outstanding Natural Landscape (*ONL*) overlays and provisions relating to the Coastal Environment overlay.

My submission is:

The submitter owns land at Te Huruhi (Dicks) Bay, Rawhiti legally described as Orokawa 3C 2A Block NA17A/1419. Much of the submitter's property is subject to the HNC and ONL overlays in terms of the proposed plan's provisions, which the submitter considers are inappropriate and imposes unduly restrictive controls on the reasonable use and development of the submitter's land.

The property is within the Rural Production Zone and has imposed upon it the Coastal Environment overlay and the HNC and ONL overlays.

The HNC and ONL overlays in particular do not reflect the state of the subject property as it currently is, which is that of a developed and modified human landscape containing a main dwelling and a caretaker's cottage, and is generally devoid of any landscape qualities and could not reasonably be described as having high natural character or comprise an outstanding natural landscape.

The area enjoys an attractive aesthetic, but due to the predominantly human landscape qualities exhibited by the specific property and environs, cannot be considered to meet the high bar of having the values ascribed to it over the whole of the subject site.

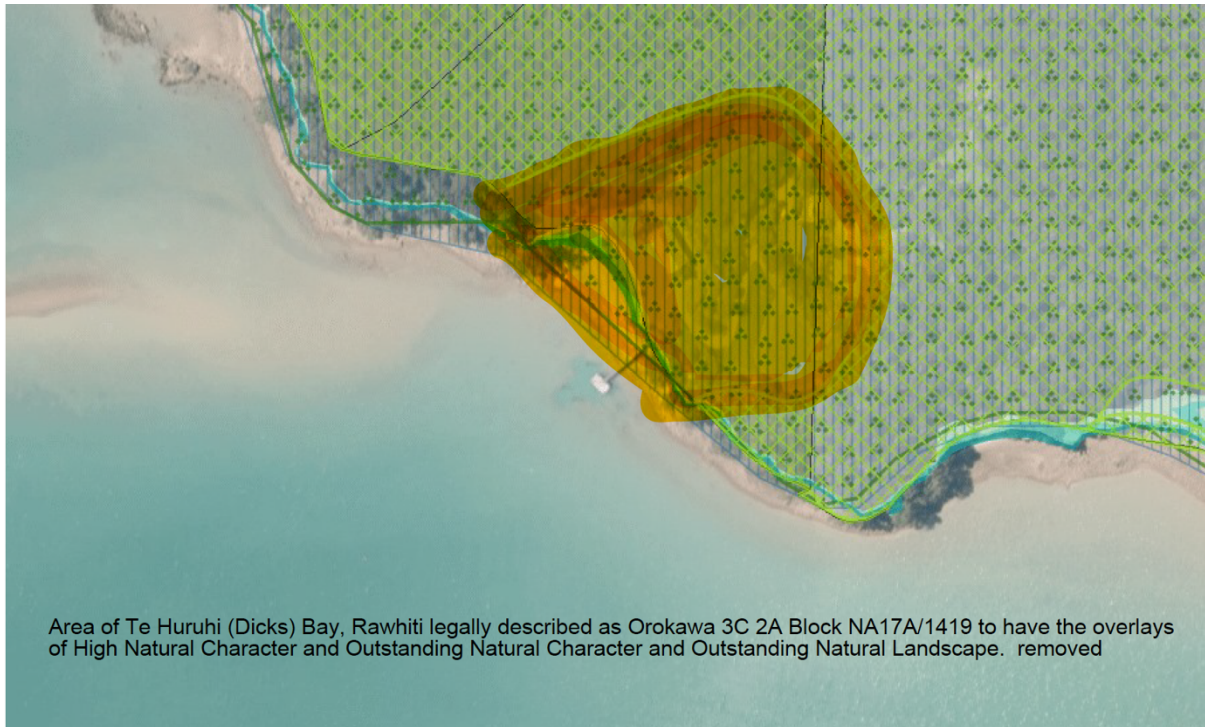


The photograph below taken from Google Earth shows the nature of the property, and demonstrates the qualities imposed on it are not supported by what is actually on the ground. The imposition of controls intended to manage development in highly sensitive landscapes are inappropriate in this context and will make the reasonable use and development of the property unfairly and unnecessarily constrained.



The submitter seeks that the HNC and ONL overlays be removed from that part of the submitter’s property that do not have these qualities such that the submitter can continue to use and develop his land in a manner consistent with its current residential use.

The following extract from the planning maps of the Proposed Plan illustrates that portion of the property from which the submitter seeks to have the notations removed.



The submitter seeks the following decision from the local authority:

1. That the HNC and ONL overlays be removed from the land as illustrated above. S497.001
S497.002
2. Without derogating from the above:
 - that provisions limiting the height, area and defining the colours and reflectivity of new buildings in ONLs be removed. S497.003
S497.004
S497.013
 - that all provisions in the plan that require activities located within an identified ONL to be assessed as non-complying activities be deleted. S497.005
3. With respect to controls over activities in the coastal environment overlay that:
 - the provisions within in the plan that impose limitations on the area, height and exterior finishes of new buildings located within the coastal environment overlay be deleted. S497.006
S497.007
S497.008
S497.009
 - provisions limiting the aerial extent and height of cut and fill of earthworks be deleted. S497.010
S497.011
4. That the provisions requiring buildings within the Rural Production Zone be set back 30 metres from MHWS be deleted. S497.012

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of submitter

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Owen Burn as duly authorised agent for Mark Wyborn

Date 20th October 2022

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