

IN THE MATTER of the Resource Management Act
1991 (“**the Act**”)

AND

IN THE MATTER of a submission pursuant to Clause 6
of Schedule 1, of the Act in respect
of the **Proposed Far North District
Plan**

SUBMISSION ON PROPOSED FAR NORTH DISTRICT PLAN

To: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council
Private Bag 752
KAIKOHE 0400
Email: pdp@fndc.govt.nz

1. Details of entity making submission

Davies Kerikeri Family Trust, MR Davies, and BR & R Davies (‘the submitters’)
C/- Reyburn and Bryant
Attention: Joseph Henehan
PO Box 191
WHANGAREI
Email: joseph@reyburnandbryant.co.nz

2. General Statement

- 2.1 The submitters cannot gain an advantage in trade competition through this submission. They are directly affected by the plan change. The effects are not related to trade competition.

3. Background

3.1 The submitters own several contiguous titles located at Kerikeri Inlet Road. The various titles and the associated ownership is shown in [Figure 1](#) below.

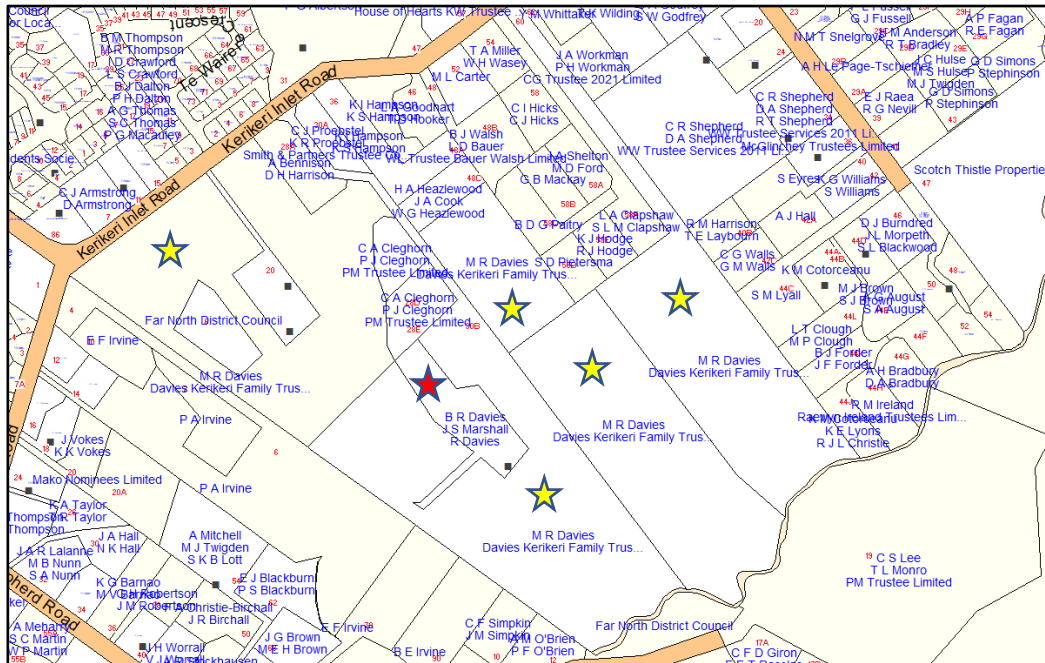




Figure 1: Submitter land

-  Davies Kerikeri Family Trust and MR Davies
-  BR and R Davies

3.2 The various legal descriptions and title references are as follows:

- Lot 2 DP 352147 (213977) (Davies Kerikeri Family Trust and MR Davies)
- Lot 2 DP 159442 (NA95D/660) (Davies Kerikeri Family Trust and MR Davies)
- Lot 1 DP 201704 and Lot 3 DP 159442 (NA129B/681) (Davies Kerikeri Family Trust and MR Davies)
- Lot 4 DP 1598442 (NA95D/662) (BR & R Davies)
- Lot 2 DP 61878 (NA17C/272) (Davies Kerikeri Family Trust and MR Davies)

3.2 The land is currently used collectively for orchard purposes, although there are dwellings located on NA95D/662 and NA17C/272 respectively.

3.3 The front part of the land adjoining Kerikeri Inlet Road adjoins residential development to the east and west, and a major residential development on the opposite (northern) side of the road. This development is evident on the cadastral plan in [Figure 1](#) and on the aerial photograph in [Figure 2](#).

- 3.4 Of note, there is a diesel mechanic business (CDL) located on a separately owned title within the overall landholding near the front part of the site. There is also a title owned by the FNDC which contains the old wastewater treatment plant (now a pumping station).
- 3.5 There is a small stream running through the front part of the site between the CDL site and Kerikeri Inlet Road (see [Figure 2](#) and [Photograph 1](#) below).



Figure 2: Water and wastewater infrastructure in the vicinity of the site



Photograph 1: Stream running under Kerikeri Inlet Road and through subject land

- 3.6 There are reticulated services available in the adjoining Kerikeri Inlet Road including a 75mm pressure sewer and a 50mm water rider main (see [Figure 3](#) below).

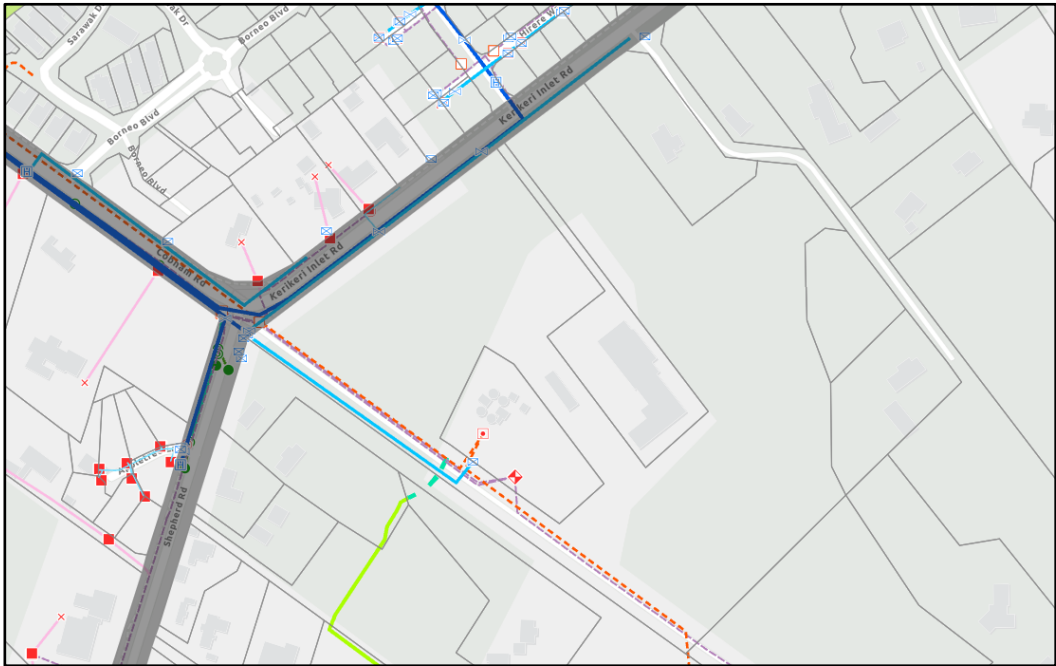


Figure 3: Water and wastewater infrastructure in the vicinity of the site

- 3.7 The Proposed Far North District Plan is proposing to include the land in the ‘Rural-Residential’ zone (RRZ). The land on the opposite side of Kerikeri Inlet Road is proposed to be zoned ‘General Residential’ (GRZ). The spatial extent of these zones is shown in [Figure 4](#) below.

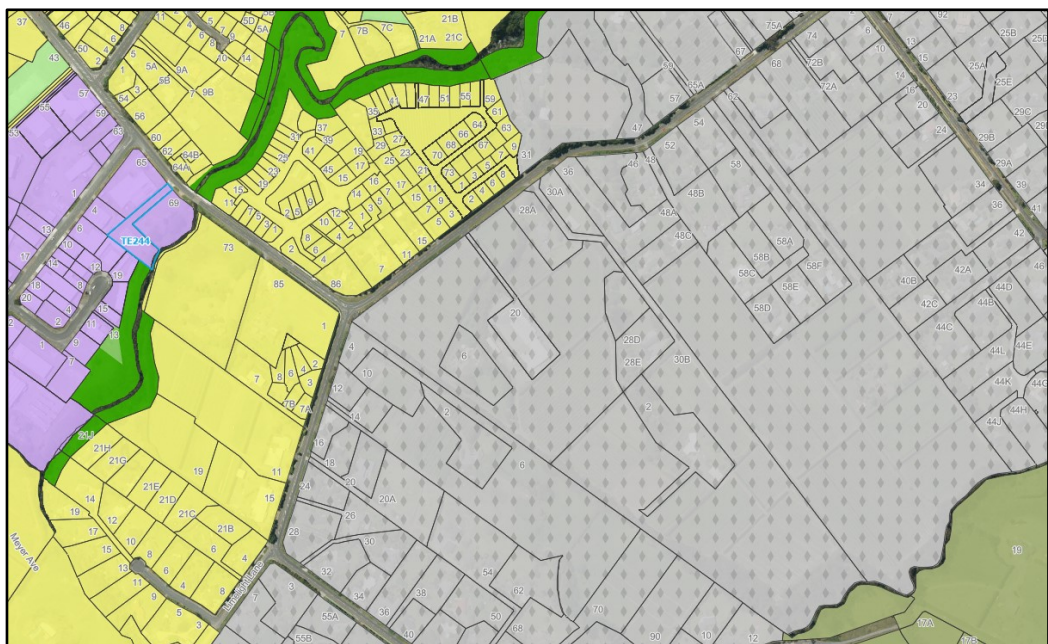


Figure 4: Proposed Far North District Plan zones

4. The specific provisions of the Plan Change that this submission relates to are:

4.1 The 'Rural-Residential' zone proposed for the land.

5. The submission is:

Relief sought

5.1 To rezone the front part of the site (2.2ha approx.) located between the stream, FNDC pumpstation, and CDL 'General Residential' (GRZ), and to retain the 'Rural-Residential' (RRZ) zone over the remainder of the land (generally as shown on Figure 5 below). Additional GRZ may also be appropriate to the east and west of the site subject to further consideration of the cadastral and land use patterns, and geographical features.



Figure 5: Proposed GRZ zone extension

Reasons for relief

(1) The land that is proposed to be rezoned GRZ is located between the existing FNDC pump station and the CDL operation to the south, and GRZ to the north. It is becoming increasingly difficult to comply with the air emissions requirements for orchard operations on this area.

- (2) The natural stream boundary provides a logical and defensible boundary to the existing urban area, and (together with a future esplanade reserve) will provide a buffer to horticultural operations on the remaining land to the south.
- (3) The site has direct access to reticulated Council infrastructure, including wastewater and water infrastructure located within the adjoining Kerikeri Inlet Road.
- (4) In terms of the National Policy Statement for Highly Productive Land (2022), the land can be rezoned GRZ under regulation 3.6 for the following reasons:
 - (a) The GRZ will assist in providing sufficient development capacity to meet demand for housing in the Far North District. Council have already taken the decision to zone the land RRZ, because retaining the Rural Production Zone (RPZ) would result in an isolated pocket of RPZ land between rural residential and residential land. Up zoning from the proposed RRZ better reflects the surrounding land use and the availability of infrastructure.
 - (b) The submitter is not aware of any other reasonably practicable and feasible options for providing additional GRZ land in the same locality.
 - (c) The environmental, social, cultural, and economic benefits of the rezoning (discussed further below) outweigh the long-term environmental, social, cultural, and economic costs associated with the loss of highly productive land for land-based primary production.
- (5) The proposed GRZ is consistent with regulation 3.8(1)(a) because it is not sustainable (given the extent of existing residential development in proximity to the land) to continue to use the land for productive purposes.
- (6) The economic benefits of rezoning the land GRZ relative to retaining the proposed RRZ are associated with the relative increase in residential density in the 2.2ha proposed GRZ area. Specifically, under the RRZ zoning the land is capable of being subdivided into 5 lots as a controlled activity. Under the GRZ the land could be subdivided into approximately 20-25 lots accounting for on-site stormwater attenuation and a potential esplanade reserve.

- (7) The social benefits include an additional buffer between GRZ and horticultural activities, therefore assisting in minimising potential reverse sensitivity effects.
- (8) The potential environmental benefits (in addition to avoiding reverse sensitivity effects) include a potential esplanade reserve, and improvement to the site frontage with Kerikeri Inlet Road.
- (9) The proposed GRZ zoning is a more efficient and effective use of the land, particularly given the constraints to using the land for horticultural purposes, and the additional benefits associated with the GRZ over the RRZ. It also enables efficient use of existing reticulated infrastructure located within the adjoining road boundary.
- (10) The proposal better achieves the purpose of the Act in the context of Section 32.

10. The submitter seeks the following decision by the FNDC:

- (1) To rezone the front part of the site GRZ, generally as shown in Figure 5; or **S329.001**
- (2) Alternative relief with similar effect.

11. The submitter wishes to be heard in support of this submission.



Joseph Henehan

Planning Consultant

Dated this 21st day of October 2022

