



**Remember
submissions
close at 5pm,
Friday 21
October 2022**

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Kaitaia Business Association		
Company / Organisation Name: (if applicable)	Northland Planning and Development 2020 Limited		
Contact person (if different):	Sheryl Hansford		
Full Postal Address:	PO Box 526		
	Kaitaia 0441		
Phone contact:	Mobile: 0274498813	Home:	Work: 09 408 1866
Email (please print):	info@northplanner.co.nz		

2. (Please select one of the two options below)

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

I **could** gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3. 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 effect of trade competition

I **am not** 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 effect of trade competition

Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991^[R1]

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

(please provide details including the reference number of the specific provision you are submitting on)

Please refer to the attached documents.



Confirm your position: <input type="checkbox"/> Support <input checked="" type="checkbox"/> Support In-part <input checked="" type="checkbox"/> Oppose <i>(please tick relevant box)</i> [R2]
My submission is: <i>(Include details and reasons for your position)</i> Refer to the attached documents.
I seek the following decision from the Council: <i>(Give precise details. If seeking amendments, how would you like to see the provision amended?)</i> Refer to the attached documents.
<input checked="" type="checkbox"/> I wish to be heard in support of my submission <input type="checkbox"/> I do not wish to be heard in support of my submission <i>(Please tick relevant box)</i>
If others make a similar submission, I will consider presenting a joint case with them at a hearing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you wish to present your submission via Microsoft Teams? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Signature of submitter: <i>(or person authorised to sign on behalf of submitter)</i> [R3] Date: 21/10/22 <i>(A signature is not required if you are making your submission by electronic means)</i>

Important information:

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).



Send your submission to:

Post to: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Email to: pdp@fndc.govt.nz

Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.

Submissions close 5pm, 21 October 2022

Please refer to pdp.fndc.govt.nz for further information and updates.

Please note that original documents will not be returned. Please retain copies for your file.

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

SUBMISSION NUMBER

501

KAITAIA BUSINESS ASSOCIATION

1.0 Intro

- 1.1. Northland Planning and Development 2020 Limited is a Planning Consultancy based in the Far North District. Northland Planning prepares resource consents to both district and regional councils for a range of developments within the local community.
- 1.2. Northland Planning and Development are the agent for the Kaitaia Business Association in regard to the following submission.

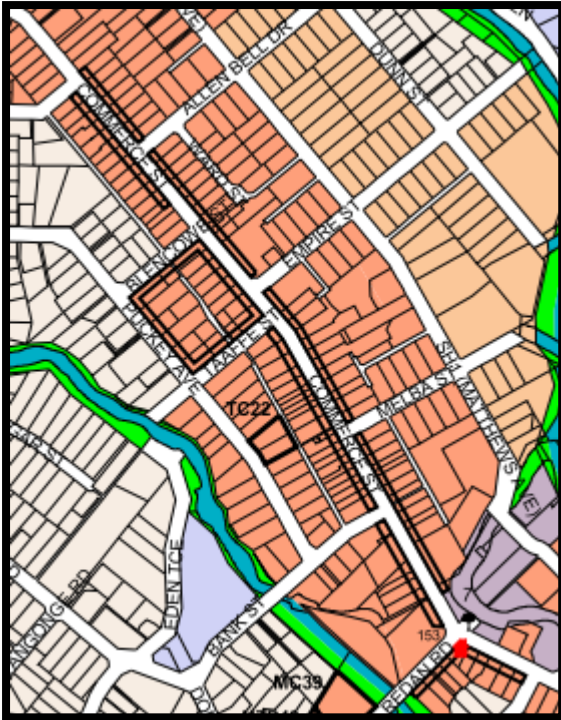
2.0 Mixed Use Zone

- **MUZ-S6 VERANDAHS**

For sites with pedestrian frontage identified on the planning maps:

1. *Any new building, or extension or alteration to a building (including alterations to the façade) must be built up to the road boundary; and*
2. *A verandah must be provided for the full frontage of the road boundary of the site. The verandah shall:*
 - a. *directly adjoin any adjacent veranda so there is no horizontal gap to provide continuous pedestrian coverage; and*
 - b. *have a minimum height of 3m and a maximum height of 6m above the footpath immediately below; and*
 - c. *be setback a minimum of 300mm and a maximum of 600mm from a vertical line measured up from the face of the kerb.*

Figure 1 & 2 below – Operative District Plan and Proposed District Plan



- 2.1. The Kaitiaki Business Association generally supports the above rule however would like the rule to be expanded to cover the amenity and character of the **existing business district**. In particular the main street of Kaitiaki which is identified below as being the Pedestrian Frontage area. There are no changes proposed in regard to the Pedestrian Frontage area identified in both plans. S501.002
- 2.2. The s32 report for the Commercial/Mixed Use zone identified the key resource management issues for this area as retaining the amenity and character while supporting improved vibrancy of the Districts town centres.
- 2.3. The Kaitiaki Business Association recently commissioned a Retail Strategy Report completed by First Retail which discussed the unmaintained buildings and dated public realm that creates an impression of decline.
- 2.4. The sites with Pedestrian Frontage have existing verandas some of which are well maintained and contribute to the overall vibrancy of the town centre. Other sites have been left to become dilapidated and unattractive with old signage from 20+ years ago with peeling paint and mould which detracts from the overall amenity of the town centre.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

For sites with pedestrian frontage identified on the planning maps:

1. Any new building, or extension or alteration to a building (including alterations to the façade) must be built up to the road boundary; and
 2. A verandah must be provided for the full frontage of the road boundary of the site. The verandah shall:
 - a. directly adjoin any adjacent veranda so there is no horizontal gap to provide continuous pedestrian coverage; and
 - b. have a minimum height of 3m and a maximum height of 6m above the footpath immediately below; and
 - c. be setback a minimum of 300mm and a maximum of 600mm from a vertical line measured up from the face of the kerb.
 3. **Verandah facades must comply with the Amenity Protection By-Law and be regularly maintained and cleaned accordingly.**
- 2.5. The application and implementation of the District Plan rules and the by-law is to encourage building owners to conform to common design principles when undertaking development activities on buildings and encourage minimum standards to be set to provide consistency resulting in a level of amenity which will then be expected and valued within the Pedestrian Frontage area.

AMENITY PROTECTION BY-LAW

- 2.6. The Bylaw will be known as the 'Far North District Council Amenity Protection Bylaw'.
- 2.7. The purpose of this Bylaw is to assist Council in ensuring that the Far North District Pedestrian Frontage area remains neat and tidy and that amenity is preserved.
- 2.8. The following specific circumstances will represent detractions from amenity for purposes hereof and will constitute a nuisance:
 - Buildings that show signs of disrepair, ie: in the form of fading paintwork, plaster chipping and mould or algae growth.
 - Buildings that have been tagged or in any other way defaced.
 - Buildings that contain signage that is no longer reflective of the business or tenant occupying the building.
 - Vacant sites that are allowed to become uneven to the extent that surface water ponds on it.
 - Vacant land that sprouts weeds and other vegetation other than shrubs and gardens that are/have been formally established on such land.
 - Associated operational/storage areas appearing untidy must be fenced with a screening fence.
 - Properties allowed to become overgrown.
- 2.9. Where in the opinion of an Inspector acting reasonably, any personal property of whatsoever nature, situated on land privately or publicly owned, or occupied under tenure that detracts from the amenity, or is stored in such a manner, as to detract from the amenity of the neighborhood, shall be deemed as a nuisance.
- 2.10. An Inspector or Officer may serve a notice on the persons by whose action or omission the nuisance referred to arises (included the owner of unoccupied premises) requiring him/her,

within 21 days, to take such action and to execute such works as may be necessary to abate the nuisance.

- 2.11. The Council shall be entitled to recover all reasonable costs incurred in the monitoring and enforcement of the Bylaw from the occupier where a nuisance is deemed to be a nuisance under the above clauses.

Power of Council on Occupiers Default

- 2.12. If any occupier on whom a notice is served under this Bylaw fails or neglects to do any act or thing specified in the notice before such date or in such manner as specified, the Council may itself do or have done or complete the doing of that act or thing.
- 2.13. The cost of remedying the non-compliance with the notice can be recovered in full against the occupied and, until paid in full, represents a charge against the land concerned.

Conclusion

- 2.14. The KBA are requesting an amendment to Rule MUZ-S6 and to introduce a By-law that will require property owners to maintain the exterior of their buildings so the town has a presentable amenity in line with the intent of the Pedestrian Frontage Rule imposed by the District Plan.
- 2.15. The by-law will allow Council to employ contractors to complete works on those buildings detracting from the amenity of the town centre and will do the work required and bill the owner accordingly.
- 2.16. KBA have committed funds to maintain and upgrade the existing facades within the pedestrian frontage area therefore providing areas that will be of standard prior to this Bylaw coming into effect.

Mixed Use Zone

MUZ-R4 RESIDENTIAL ACTIVITY

- **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.
- 2.17. The Kaitaia Business Association generally supports this rule for residential activities to be located above the ground floor level. The Mixed Use Zone includes the main central business district where it is imperative to have active shop frontages to engage consumers by providing a shopper experience.
- 2.18. Currently there are buildings along Commerce Street which have a commercial/retail business on the ground floor with accommodation on the upper level. The residential

accommodation is used by the property owner of the business and seems to present no problems.

- 2.19. The Kaitaia Business Association received numerous complaints and concerns for a potential social housing project to be established in the CBD area. The KBA would not support social housing within the Mixed Use Zone. An exclusion clause is required in regard to residential activities for the purpose of temporary overnight or emergency / assisted or social housing within the CBD area.

Changes sought

MUZ-R4 RESIDENTIAL ACTIVITY

- **PER-1** S501.003
 - The residential activity **excluding a residential activity for temporary overnight accommodation or emergency/assisted or social housing** 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.
- 2.20. Kaitaia currently has some residential units located above commercial premises that are used by the property/business owners. Accommodation for temporary overnight, emergency, assisted or social housing is a different housing type that requires tenant management with specific needs not suitable for the CBD area.
- 2.21. The General Residential Zone provides for this activity where social mix opportunities are available to increase social cohesion and neighborhood participation

Conclusion

- 2.22. The KBA are requesting an amendment to Rule MUZ-R4 to exclude residential activities for temporary overnight accommodation or emergency/assisted or social housing within the CBD area.
- 2.23. The General Residential Zone provides for a variety of housing typologies and sizes where temporary overnight accommodation or emergency/assisted or social housing integrates similar effects to other residential activities.