

Rebuttal Submission FNDC PDP Sec 42A Reports (S397.006; S397.007) IR Carr

Lot2 DP 336924 – The Subject Property

Proposed Okaihau Settlement Zone Change

Officer's Recommendation: No change

I WISH TO SPEAK AT THE HEARING and will be supported by expert witness

300 I confirm that an email from the reporting officer offering 'opt in assistance' was received at our family address, but was not picked up and highlighted to me by my family as it did not have fndc.govt.nz as the address. Sorry, we get lots of unsolicited mail, and this slipped by.

Unfortunately I did not avail myself of this excellent service which would have been helpful to us all.

I have read the RO Mellisa Pearson's Sec 42a report and trust that the amendments to my proposal and explanations that I have given address her concerns sufficiently for the hearing panel to be able to support the amended proposal.

The currently split-zoned Subject Property is 9.6 ha in area, of which 1.6 ha is presently zoned Residential and 8.0 ha is presently zoned Rural Production in the ODP. These zones, or their comparative zones, have been carried over into the PDP.

302 & 303 I agree with the R.O's conclusion made from the peer reviewed (Dr Reece Hill) report by Soils & Land Use Expert Bob Cathcart that the loss of such a small spatial area (of HPL) is not significant, particularly in the context of being so close to Okaihau.

MY AMENDED PROPOSAL

301. In response to the issues raised in the RO's Sec 42. a Report I am seeking a lesser area of 5.30 ha (reduced from the 7ha discussed in RO 301) to be rezoned from RPZ to Settlement Zone.

I consider that this area has logical and defensible zone boundaries and provides for an extensive buffer zone between the Subject Property and the only neighbouring pastoral farming operation (Lot 1 DP527660). The average separation distance of the buffer zone is about 120 metres and the minimum distance of the buffer is about 50 metres, and that is located where the buffer makes contact with my adjacent parcel of land Lot 3 DP454131.

Note: I propose to amalgamate the 2.70 ha buffer zone with Lot 3 DP454131, which is RPZ, as condition of this proposed zone change. As a result there will no longer be a split zoned lot.

Lot 2 DP336924 – the Subject Property

Existing Settlement Zone	1.6 ha
Residual RPZ (as Settlement Zone buffer)	2.7 ha
Rezone RPZ to Settlement Zone (includes 1 ha of bush)	<u>5.3 ha</u>
	9.6 ha

DISCUSSION OF OTHER BOUNDARIES

Apart from one lifestyle block (Lot 2 DP 199288), the Church (Pt Allot SE116 Psh of Okaihau) and the pastoral farm (Lot 1 DP527660), my nine other common boundary neighbours are either entirely (6), or are for a significant part (3) contiguous with my existing (ODP Residential) PDP Settlement Zoned land.

306. e. Economic Assessment (Demand).

The RO states “*As per the economic assessment, there is no clear need for additional Settlement*

capacity in this location...”

I have read the S42.a. Report 3.2 Rural rezoning evaluation framework

3.2.4 Criterion D - Growth Demand. The expert witness, economist Mr McGraith, reported *“The substantial surplus of PEC [plan-enabled capacity] in both rural areas and other settlements demonstrates that additional rezonings are not required to meet anticipated demand. The PDP already enables more than sufficient development potential across rural and settlement areas, supporting a managed and sustainable approach to accommodating growth.”*

This statement appears to be an appropriate summary for the PEC in rural areas and other settlements generally, and to Okaihau on paper, possibly.

OKAIHAU LACKS PEC

The apparent availability of vacant sections on the southern side of Settlers Way at the western outskirts of Okaihau should be expected to enable some future growth (be it may as ribbon development). However, these sections appear to be a residual planning anachronism as they are steep, south-facing and would be very difficult to construct access to and to build on.

Hence they remain unused.

REVERSE SENSITIVITY -THE STATUS QUO

S41.a 3.2.1 Location 39.d. “Resolve a split zoning situation”.

To leave the zone boundaries as they are rather than to change them in the revised manner that I am proposing in this submission would perpetuate the existing significant reverse sensitivity issues.

These arise from my present use of the land for farming purposes:

I have stopped baling silage because of one neighbour's complaint about noise.

I no longer farm newly weaned calves there to minimise noise.

Another example of the difficulty to farm this property is that prior to my ownership much of the land was covered by noxious weeds. The soils contain gorse seed and tobacco weed flourishes.

Regular spraying of emerging weeds is required. Okaihau is particularly windy, making managing spray drift a critical and difficult issue, with such close neighbours. The soils need an annual dressing of 1 tonne of lime, that I have never been able to apply because of the associated fine dust drift.

The plan shown on page 119 of the RO Sec 42. a. report - Figure 32: Excerpt from S397.006; represents the above proposed zone boundaries reasonably well.

Report (**CO697N-TR-01**) by **Geologix environmental engineers**.

The report assesses site suitability for waste water disposal and stormwater by way of a conservative desk top appraisal.

Refer Paragraph 2.2 page 5 regarding the property's Geotechnical Suitability.

Page 6, Figure 2 shows a Concept Building Platform Building Restriction Line

Please note:

1. that this desk top report (**CO697N-TR-01**) is based on what is allowed as a Restricted Discretionary Activity in the FNDC ODP, and accordingly the proposed scheme plan in this Geologix Report is shown for such reference only. The Report does demonstrate show inefficient the land use would be regarding lot yield if we proceeded on this basis.
2. The report states *“Once the geotechnical investigations are complete this set back is required to be refined according to the outcomes of a geotechnical stability assessment. Proposed building platforms to the south and east of this line will include minimal stabilisation recommendations to be considered suitable for the proposed development. Any building platforms to the west of this boundary will be coupled with recommendations for*

better assessment and stabilisation measures which may be considered for feasibility for the type of development proposed.” - CO697N-TR-01

EXAMPLES OF THE INEFFICIENT USE OF LAND.

Adjoining the Subject Property's eastern boundary are a number lots created by recent subdivisions. The area of these individual lots is about twice that of the nearby properties that are zoned Residential in the ODP.
Please consider the issue on your site visit.

SITE VISIT BY THE HEARINGS PANEL

By viewing the Subject Property and the surrounding area, I believe that the Hearings Panel will be able to see how well the proposed re-zoning of this property will fit into the overall context of Okaihau Village.

306. b. I do not agree with the RO's suggestion (306. b.) that “*the most appropriate location for the further expansion of Okaihau is prioritising the rezoning of land closer to the centre of Okaihau nearer to the schools and sports fields to create more of a central development cluster.*”
I consider that there is minimal, if any land, in the proximity suggested that is available for such rezoning.

304. Allowing for high-rise intensification would require reticulated sewerage? And is high-rise at all desirable?

SCOPE FOR INTENSIFICATION OF ANOTHER AREA WITHIN OKAIHAU

Perhaps some south-facing and south-sloping sections on the end of Michie Street could be created if the owners desired?
However, such sections are 850 metres distant by road from the pedestrian crossing that is located between Okaihau Primary School and Okaihau College. Some 350 metres of this distance along Lawn St to the end of Michie St is without foot paths. And, there is not a PDP submission to support this.

HOW DOES THE SUBJECT PROPERTY COMPARE TO MICHIE STREET?

The Subject Property is north facing with commanding views over the Okaihau Valley. The property's wide road entrance is on the same side of the road as Okaihau Primary School and is 370 metres by way of a concrete foot path from the pedestrian crossing between the two Okaihau schools. The Subject Property's road entrance gives direct access to the 1.6 ha of the Subject Property that is zoned Settlement in the PDP. This road entrance is only 70 metres beyond the 40 km/hour school traffic zone and well within the western 50 km/hour traffic zone. Four other houses (that are also serviced by reticulated town water supply) gain their only access to Settlers Way Road by a ROW over this land. The footpath extends a further 230 metres westward beyond the above entranceway, past the property's 1ha bush to Saint Catherines Church gate. The reticulated water supply extends almost as far.

305. I believe that a site visit will give the Hearings Panel a clear understanding of these matters.

PRESSURE FOR RESIDENTIAL PROPERTIES AT OKAIHAU

The Okaihau commercial 'centre' is at the eastern end near SH1. The use/purchase of commercial property for residential purposes is eroding the opportunity to establish commercial activities in Okaihau.

Lake Road, Okaihau previously provided road access to the now closed North Auckland Railway Line terminus.

Lake Road is a hodge podge of industrial and residential usage, with residential usage intruding onto land previously used by the industries that serviced the rail head. Undeveloped land in the vicinity is generally un-stable or is part of land parcels still owned by NZ Rail.

PUBLIC FEEDBACK ON THIS PROPOSAL

306. a. The FNDC District Plan Revue process has been far more comprehensive than that required under RMA Schedule 1.

In March 2021, FNDC produced a draft plan which was advertised in newspapers and in the FNDC resident and ratepayer newsletters. The draft was also placed on the FNDC Website. Submissions were sought. I was a submitter.

A similar process occurred for the Notified PDP. My submissions have remained relatively consistent. A number of people have observed my submissions regarding the Subject Property. No one has objected either formally or informally.

Various people who saw value in my proposal have expressed this.

OKAIHAU HAS EVOLVED ORGANICALLY

My observation is that the Okaihau community is progressive and has actively sought and supported the recent revitalisation of Okaihau. The FNDC has just completed a \$1 M refurbishment of the Okaihau Hall. The Twin Coast Cycle-way that passes through the town has stimulated activity and interest. Okaihau has a cheerful future. A number of successful home-stays on Settlers Way have sprung up beyond the Subject Property to the west. These developments are not the product of a restrictive planning regime.

People do want to live along the Okaihau Ridge. Demand enabled by the ODP RPZ and Transitional Pre-amalgamation Plan provisions has resulted in subdivisions with lot sizes many times larger than the, generally retired, owners require.

I consider that requiring such large lot sizes, where there are no significant reverse sensitivity issues and no appreciable reduction in rural amenity with smaller lots, is not an efficient use of land.

OKAIHAU'S EVOLUTION

Okaihau is on SH1 and sits between Kaikohe and Kerikeri.

Okaihau Village centre was originally half way along the Okaihau Ridge by the WW1 Memorial Gates – that is, until the Railway Construction Public Works Camp was established in about 1919. The Okaihau Hall was built by the Public Works Dept at this time.

Over time, Okaihau has evolved to be a more than adequately serviced village. Okaihau has great amenity and is a popular community to live in and has an extremely strong volunteer ethic.

Many rural towns suffer from decline and cannot service what becomes their relatively excessive infrastructure. Fortunately, this is not the case for Okaihau.

PDP SETTLEMENT ZONES HAVE MERIT

I am very supportive of the provision of Settlement Zones in the FNDC PDP, as such zones provide for the needs of people who prefer to live on self contained sections in small rural towns.

This is an important option because of the difficulty that FNDC has in accepting more WW connections in many of the district's sewered residential areas. Settlement Zones such as Okaihau that are recognised as having soil types that are well suited to on-site effluent disposal, should be well considered.

See Attachment 2 Geologix Report.

A REDUCED PROPOSAL

301 & 306 In response to the R.O's 301 and 306 summary comments and further engineering and planning advice, I have revised the proposal. In this submission I propose a reduced area for rezoning from Rural Production Zone to Settlement Zone that addresses the issues raised and builds

on the general suitability of the originally submitted proposal S397.006 and S397.007 as identified below by the RO.

306.d. RO quote, *"I agree with Mr Carr that the site has no identified significant natural hazard risks' is resilient to the current and future effects of climate change and that the re-zoning is generally compatible with the surrounding land uses to the east, being the boundary with the Settlement Zone. However, I note that adverse effects on the bush and management of reverse sensitivity effects to the west are proposed to be managed through future subdivision processes as opposed to through this rezoning request (inconsistent with Criterion C).*

306.d. PROPOSED INCREASE OF BUFFER BLOCK AREA TO ADDRESS THE RO'S CONCERNS

The Subject Property has a relinquished formed railway corridor that extends the full distance between the property's eastern and western boundaries. By aligning the northern boundary of a revised Okaihau Settlement Zone along the full length of the 'railway formation' the natural reverse sensitivity buffer zone recommended by Soils Expert Bob Cathcart is more than doubled from about 1 ha to about 2.7 ha in area with an average set back distance exceeding 100 metres from the adjoining pastoral farm (Lot 1 DP 527660).

I propose that this Settlement Zone boundary would be located above the top of the upslope bank batter of the 1920's railway formation. The remaining 2.7 ha would remain in the Rural Production Zone and be amalgamated by boundary change with my adjacent land (Lot 3 DP 454131) which also has Rural Production zoning.

I consider that this would create a defensible Settlement Zone boundary in the area that is of greatest concern to the RO.

BUFFER ZONE ALONG THE SUBJECT PROPERTY'S SETTLERS WAY ROAD FRONTAGE

Settlers Way Road provides a clear physical buffer between the Rural Production zoned land on the southern side of the road (that is, opposite the Subject Property) and the Subject Property.

I will provide permanent protection to the 1 ha of remnant forest by St Catherines Church as a condition of this proposed zone change.

ST CATHERINES CHURCH IN THE SETTLEMENT ZONE

I will accept a 15 metre building line setback within the Subject Property measured back from all the Church Boundaries that are common with the Subject Property. Note, under the current ODP RPZ rules the building setback from the Church boundary is 10 metres.

I consider that this further assists in the creation of a defensible Settlement Zone boundary along Settlers Way Road.

The relevant PDP Settlement Zone boundary building setback rules should otherwise apply.

BUFFER ZONE BEYOND THE SOUTH-WEST OF THE SUBJECT PROPERTY

The Subject Property's road frontage boundary along Settlers Way Road (as described above) extends to the south west corner of the property. For the next 250 metres to the west along Settlers Way Road the land on the same (northern) side of the road as the Subject Property is comprised of life style blocks and includes a number of driveways, natural buffers of ancient Puriri trees and the district's livestock carrier's yard before the first pastoral farming operation is encountered.

The Subject Property's immediate neighbour to the west is Lot 2 DP454131 and their neighbouring (parent) property, further to the west, is (Lot 6 DP 454131). They are lifestyle blocks that are currently run together for grazing purposes, carrying a couple of horses and 4 or 5 yearling stock.

I consider that the reverse activity issues between the RPZ and the proposed Settlement Zone are

adequately addressed.

I consider that the common boundary between the Subject Property and Lot 2 DP 199288 to be a defensible Settlement Zone boundary for this part of the property.

LOT 2 DP 199288 and LOT 2 DP 336924 COMMON BOUNDARY - GENERALLY

LOT 2 DP 199288 is a lifestyle property that is an effective buffer between the proposed Settlement Zone boundary and RP zoned land to the north-west.

I consider that this entire common boundary would be a defensible Settlement Zone boundary.

Thank you for this opportunity to engage in planning for the District's future development.

I am not sure what the Hearing Panel's protocols are regarding site visits, but as there are no cross submissions or objections to this particular re-zoning request, I am available to come on a site visit if you require.

I R (Joe) Carr 14/09/2025

Attachment	1	Draft plan No 10793
	2	Geologix Site Suitability Technical Review to Support Rezoning Application