

Kerikeri Service Centre

20 OCT 2022



Submission on Proposed Far North District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Far North District Council - District Planning

Date started: 12/08/2022

This is a submission on the following proposed plan (the **proposal**): Proposed Far North District Plan

Address for service:

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I wish to be heard: Yes

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- N/A

Are you 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

- N/A

Submission points

Point .

Section: Kauri Cliffs

Sentiment: Oppose

Submission:

Mapping error. The 'Natural Heritage Environment' subzone has been incorrectly applied within the Kauri Cliffs zone. The 'Natural Heritage Environment' subzone needs to be removed and replaced with the 'Natural Open Space' zone in accordance with the section 32 for the Kauri Cliffs zone.

Relief sought S368.001

Replace the 'Natural Heritage Environment' subzone with the 'Natural Open Space' zone within the Kauri Cliffs zone.

Point .

Section: Definitions

Sub-section: Term Definition

Provision:

IMPERMEABLE SURFACE

means in relation to any site means any building or surface on or over the land which creates a barrier to water penetration in to the ground. This definition includes but is not restricted to:

- a. decks (including desks than 1m in height above the ground) excluding open slatted decks where there are gaps between the boards;
- b. pools, but does not include pools designed to operate as a detention pond;
- c. any surfaced area used for parking, manoeuvring, access or loading of motor vehicles, including areas covered with aggregate;
- d. areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed;
- e. roof coverage area on plan;

But excludes:

- i. water storage tanks occupying up to a maximum cumulative area of 2m²; and
- ii. paths and paving less than 1 metre wide, provided they are separated from other impermeable surfaces by a minimum of 1 metre.

For the purpose of calculating impermeable surfaces account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces.

In the case of jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites served by the access lot for the purpose of determining compliance with the relevant stormwater management rules.

Sentiment: Support in Part

Submission:

Typo. Within the exclusions of the Impermeable Surface definition, the reference to the area provided for water storage tanks is incorrect. The maximum cumulative area of 2m² is a typo and should be 20m² This definition comes from the Operative Far North District Plan and was intended to be brought into the PDP verbatim.

Relief sought

S368.002

IMPERMEABLE SURFACE

means in relation to any site means any building or surface on or over the land which creates a barrier to water penetration in to the ground. This definition includes but is not restricted to:

- a. decks (including desks than 1m in height above the ground) excluding open slatted decks where there are gaps between the boards;
- b. pools, but does not include pools designed to operate as a detention pond;
- c. any surfaced area used for parking, manoeuvring, access or loading of motor vehicles, including areas covered with aggregate;
- d. areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed;
- e. roof coverage area on plan;

But excludes:

- i. water storage tanks occupying up to a maximum cumulative area of 20m²; and
- ii. paths and paving less than 1 metre wide, provided they are separated from other impermeable surfaces by a minimum of 1 metre.

For the purpose of calculating impermeable surfaces account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces.

In the case of jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites served by the access lot for the purpose of determining compliance with the relevant stormwater management rules.

Point .

Section: Coastal environment

Sub-section: Standards

Provision:

CE-S1 Maximum height

Coastal environment

1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula.
2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula.

Where the standard is not met, matters of discretion are restricted to: Not applicable

This standard does not apply to:

- i. The Orongo Bay zone

Sentiment: Support in Part

Submission:

This standard affects a number of built up urban areas across the district. Further investigation is required to determine whether urban zones should be excluded from this standard, given the sliding scale of 'natural character' from urban to rural and the already built up nature of existing 'urban' areas.

Relief sought **S368.003**

Exclude urban zones from this standard, if further investigation shows that it is appropriate in the Coastal Environment.

Point .

Section: Subdivision

Sub-section: Standards

Provision:

SUB-S1 Minimum allotment sizes

Zone	Controlled Activity	Discretionary Activity
Rural Production	40ha	8ha
Rural Residential	4,000m ²	2,000m ²
Rural Lifestyle	4ha	2ha
General Residential	600m ²	300m ²
Mixed Use	2,000m ² onsite wastewater disposal 250m ² reticulated wastewater disposal	no minimum lot size
Light Industrial	2,000m ² onsite wastewater disposal 500m ² reticulated wastewater disposal	no minimum lot size
Heavy Industrial	2ha	5,000m ²
Horticulture Processing Facility	2ha	5,000m ²
Horticulture	10ha	4ha
Settlement	3,000m ²	1,500m ²
Kororāreka Russell Township	1,000m ²	800m ²
All other zones	N/A	N/A
All allotments created for public works, network utilities, reserves or access	No minimum lot size	no minimum lot size

Sentiment: Support in Part

Submission:

Correction: The onsite wastewater option for both Mixed Use and Light Industrial zones needs to be removed as they are both 'urban' as defined in the PDP. This was incorrectly applied, the intention of the PDP in urban zoned land is the availability of adequate development infrastructure.

Relief sought

S368.004

SUB-S1 Minimum allotment sizes

Zone	Controlled Activity	Discretionary Activity
Rural Production	40ha	8ha
Rural Residential	4,000m ²	2,000m ²
Rural Lifestyle	4ha	2ha
General Residential	600m ²	300m ²
Mixed Use	2,000m² onsite wastewater disposal 250m ² reticulated wastewater disposal	no minimum lot size
Light Industrial	2,000m² onsite wastewater disposal 500m ² reticulated wastewater disposal	no minimum lot size
Heavy Industrial	2ha	5,000m ²
Horticulture Processing Facility	2ha	5,000m ²
Horticulture	10ha	4ha
Settlement	3,000m ²	1,500m ²
Kororāreka Russell Township	1,000m ²	800m ²
All other zones	N/A	N/A
All allotments created for public works, network utilities, reserves or access	No minimum lot size	no minimum lot size

Point .

Section: Ecosystems and indigenous biodiversity

Sentiment: Support in Part

Submission:

The PDP is required to give effect to any National Policy Statement for Indigenous Biodiversity.

Relief sought **S368.005**

All amendments necessary to give effect to the National Policy Statement for Indigenous Biodiversity

Point .

Section: Mixed use

Sub-section: Rules

Provision:

MUZ-R4 Residential activity
Mixed Use zone Activity status: Permitted

Activity status where compliance not achieved with PER-1: Discretionary

Where:

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.

Sentiment: Support in Part

Submission:

Drafting error. There is a need to consider a minimum net internal floor area for residential units in the Mixed Use zone, similar or the same as that proposed in the General Residential zone for Residential activity (multi-unit development). Doing so will retain control of amenity and quality of residential units in this zone.

Relief sought **S368.006**

Apply a minimum net internal floor area for residential units in the Mixed Use zone, following investigation and consideration of appropriate minimum net internal floor area.

Point .

Section: Natural character

Sub-section: Standards

Provision:

NATC-S2 Earthworks or indigenous vegetation clearance

Natural character Any earthworks or indigenous vegetation on a site within wetland, lake and river margins clearance must:

Where the standard is not met, matters of discretion are restricted to: Not applicable

1. not exceed a total area of 400m² for 10 years from the notification of the District Plan, unless a control in 5. below applies;
2. not exceed a cut height or fill depth of 1m;
3. screen exposed faces; and
4. comply with Ecosystems and indigenous biodiversity chapter, NFL-S3 Earthworks or indigenous vegetation clearance and CE-S3 Earthworks or indigenous vegetation clearance.

Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.

Sentiment: Support in Part

Submission:

Technical error. Incorrect reference to one of the points within Standard NATC-S2. NATC-S2 point 1. should reference point 4. not point 5.

Relief sought **S368.007**

NATC-S2 Earthworks or indigenous vegetation clearance

Natural character Any earthworks or indigenous vegetation on a site within wetland, lake and river margins clearance must:

Where the standard is not met, matters of discretion are restricted to: Not applicable

1. not exceed a total area of 400m² for 10 years from the notification of the District Plan, unless a control in ~~5.4~~ below applies;
2. not exceed a cut height or fill depth of 1m;
3. screen exposed faces; and
4. comply with Ecosystems and indigenous biodiversity chapter, NFL-S3 Earthworks or indigenous vegetation clearance and

CE-S3 Earthworks or indigenous vegetation clearance.

Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.

Point .

Section: Signs

Sub-section: SIGN-Table 1 - Minimum and maximum lettering

Sentiment: Support in Part

Submission:

Recommend a small amendment to SIGN-Table 1 to improve clarity for plan users.

Relief sought S368.008

Regulatory speed limit of adjoining road	Main message <u>Property name</u> Main message	Secondary message
Km/hr	Minimum lettering height (mm)	Minimum lettering height (mm)
0-50	100	75
51-70	150	100
71-80	175	125
81-100	200	150

Point .

Section: Settlement

Sentiment: Support in Part

Submission:

Provision needs to be made for the pedestrian frontage shown on the maps. This is an omission that was in the operative DP Commercial zone and not brought across in all instances within the PDP zones

Relief sought S368.009

Include reference to a standard in the 'New buildings or structures, and extensions or alterations to existing buildings or structures' rule, and include the standard for pedestrian frontage as seen in the Mixed Use zone.

Point .

Section: Maori Purpose

Sentiment: Support in Part

Submission:

Provision needs to be made for the pedestrian frontage shown on the maps. This is an omission that was in the operative DP Commercial zone and not brought across in the Maori Purpose Urban PDP zone.

Relief sought S368.010

Include reference to a standard in the 'New buildings or structures, and extensions or alterations to existing buildings or structures' rule, and include the standard for pedestrian frontage as seen in the Mixed Use zone.

Point .

Section: Light industrial

Sentiment: Support in Part

Submission:

Provision needs to be made for the pedestrian frontage shown on the maps. This is an omission that was in the operative DP Commercial zone and not brought across in the light industrial PDP zone.

Relief sought **S368.011**

Include reference to a standard in the 'New buildings or structures, and extensions or alterations to existing buildings or structures' rule, and include the standard for pedestrian frontage as seen in the Mixed Use zone.

Point .

Section: Signs

Sub-section: Objectives

Provision:

SIGN-O1 Signs are consistent with the natural character, amenity, cultural and heritage values of the zone and receiving environment.

Sentiment: Support in Part

Submission:

Minor redrafting is required as it is appropriate to include the defined term 'historic heritage'.

Relief sought **S368.012**

SIGN-O1 Signs are consistent with the natural character, amenity, ~~and cultural and heritage~~ values of the zone, historic heritage and the receiving environment.

Point .

Section: Signs

Sub-section: Policies

Provision:

SIGN-P1 Allow the use of signs of a scale, size and intensity across a range of zones while avoiding, remedying or mitigating adverse effects on:

- a. character and amenity values;
- b. cultural and heritage values;
- c. the legibility and function of a place; and
- d. the safety and efficiency of the transport network.

Sentiment: Support in Part

Submission:

Minor redrafting is required as it is appropriate to include the defined term 'historic heritage'. Consequential change is required to a. to retain cultural values.

Relief sought **S368.013**

SIGN-P1 Allow the use of signs of a scale, size and intensity across a range of zones while avoiding, remedying or mitigating adverse effects on:

- a. character, ~~and amenity~~ and cultural values;
 - b. ~~cultural and heritage values~~ historic heritage;
 - c. the legibility and function of a place; and
 - d. the safety and efficiency of the transport network.
-

Point .

Section: Signs

Sub-section: Rules

Provision:

SIGN-R10 Signs in the Kororāreka Russell and Kerikeri Heritage Areas

All zones Activity status: Permitted

Activity status where compliance not achieved PER-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

PER-1

The sign complies with standards:

SIGN-S1 Maximum area;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number;

SIGN-S4 Traffic safety; and

SIGN-S5 Sign design and content.

1. the matters infringed of any standard;
2. whether the purpose of the sign provides locational, heritage, cultural or other relevant information that supports the protection or context to the overlay and its characteristics and qualities; and
3. whether there is a functional purpose for the sign; and
4. whether the sign adversely affects the visual amenity or detracts from the visual qualities that are fundamental to the historic heritage values.

Activity status where compliance not achieved with PER-2, PER-3, PER-4, PER -5 or PER-6: Discretionary

PER-2

The sign denotes the name, character, or purpose of the primary activity undertaken within the building or on the site containing the building or item.

PER-3

The sign does not cover any windows or architectural features that characterise the building.

PER-4

The sign does not protrude over the highest point of the building or item.

PER-5

The sign does not damage the building or item.

PER-6

The sign is not for third party advertising.

Note: This rule does not apply to:

1. Signs approved by the Council to identify scheduled heritage resources listed in the District Plan; and/or
2. Signs approved by Heritage New Zealand Pouhere Taonga to identify heritage buildings and items listed on the Heritage New Zealand List.

Sentiment: Support in Part

Submission:

Rule needs to be reworded on the basis of a tiered heritage framework. The intention is not to apply to the rule to the entire area.

S368.014

Relief sought

SIGN-R10 **Signs in the Kororāreka Russell - Part A-D and Kerikeri Heritage Areas - Part A**

All zones **Activity status: Permitted**

Activity status where compliance not achieved PER-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

PER-1

The sign complies with standards:

SIGN-S1 Maximum area;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number;

SIGN-S4 Traffic safety; and

SIGN-S5 Sign design and content.

1. the matters infringed of any standard;
2. whether the purpose of the sign provides locational, heritage, cultural or other relevant information that supports the protection or context to the overlay and its characteristics and qualities; and
3. whether there is a functional purpose for the sign; and
4. whether the sign adversely affects the visual amenity or detracts from the visual qualities that are fundamental to the historic heritage values.

Activity status where compliance not achieved with PER-2, PER-3, PER-4, PER -5 or PER-6: Discretionary

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The sign denotes the name, character, or purpose of the primary activity undertaken within the building or on the site containing the building or item.

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The sign does not cover any windows or architectural features that characterise the building.

PER-4

The sign does not protrude over the highest point of the building or item.

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The sign does not damage the building or item.

PER-6

The sign is not for third party advertising.

Note: This rule does not apply to:

1. Signs approved by the Council to identify scheduled heritage resources listed in the District Plan; and/or
2. Signs approved by Heritage New Zealand Pouhere Taonga to identify heritage buildings and items listed on the Heritage New Zealand List.

Point .

Section: Renewable electricity generation

Sub-section: Rules

Provision:

REG-R5 Free standing small scale renewable electricity generation activity (new and upgrading)

Rural Production Activity status: Permitted zone

Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6: Restricted Discretionary

Where:

Rural Lifestyle zone

Matters of discretion are restricted to:

PER-1

Māori Purpose zone

No structure, including any attachments or turbine blades, exceed a maximum height above ground level of 20m.

- a. adverse effects resulting from the increase in the scale of the building or structure;
- b. adverse effects on any area with historical or cultural values, natural values or coastal values,
- c. vegetation clearance;
- d. visual domination, overshadowing, loss of privacy on surrounding sites;
- e. loss of access to sunlight and daylight on adjoining sites;
- f. the location and proximity of residential units and their associated outdoor areas;
- g. effects on the existing, planned or future use of the road or infrastructure;
- h. adverse effects on the natural character of the site or surrounding area; and
- i. shadow flicker and glare on surrounding sites, private and public roads.

Rural Residential zone

PER-2

All structures occupy no more than a total area of 50m² where the lot size is 3,000m² or less or 150m² where the lot size is greater than 3,000m².

PER-3

Any structure is setback at least three times the height of the structure from the boundary of any other site and is not within the national boundary of any other site.

PER-4

The setback from a road is at least three times the height of the structure and is not within the boundary of any other site.

PER-5

Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm

noise for any proposal involving wind generation.

PER-6

Written notice is provided to Council at least two weeks prior to the installation of the structure, or the upgrade of an existing structure. The written notice shall detail the location of the activity, details of ownership and management responsibilities.

This rule does not apply to devices associated within-stream or electricity generation.

Sentiment: Support in Part

Submission:

Spelling error in REG-R5 PER-3. Should read as 'notional boundary' not 'national boundary'

S368.015

Relief sought

REG-R5 Free standing small scale renewable electricity generation activity (new and upgrading)

Rural Production Activity status: Permitted zone

Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6: Restricted Discretionary

Where:

Rural Lifestyle zone

PER-1

Māori Purpose zone

No structure, including any attachments or turbine blades, exceed a maximum height above ground level of 20m.

Matters of discretion are restricted to:

Rural Residential zone

PER-2

All structures occupy no more than a total area of 50m² where the lot size is 3,000m² or less or 150m² where the lot size is greater than 3,000m².

- a. adverse effects resulting from the increase in the scale of the building or structure;
- b. adverse effects on any area with historical or cultural values, natural values or coastal values,
- c. vegetation clearance;
- d. visual domination, overshadowing, loss of privacy on surrounding sites;
- e. loss of access to sunlight and daylight on adjoining sites;
- f. the location and proximity of residential units and their associated outdoor areas;
- g. effects on the existing, planned or future use of the road or infrastructure;
- h. adverse effects on the natural character of the site or surrounding area; and
- i. shadow flicker and glare on surrounding sites, private and public roads.

PER-3

Any structure is setback at least three times the height of the structure from the boundary of any other site and is not within the ~~national~~ notional boundary of any other site.

PER-4

The setback from a road is at least three times the height of the structure and is not within the boundary of any other site.

PER-5

Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.

PER-6

Written notice is provided to Council at least two weeks prior to the installation of the structure, or the upgrade of an existing structure. The written notice shall detail the location of the activity, details of ownership and management responsibilities.

This rule does not apply to devices associated within-stream or electricity generation.

Point .

Section: Renewable electricity generation

Sub-section: Rules

Provision:

REG-R6 Community scale renewable electricity generation activity (new and upgrading)

Rural Activity status: Permitted

Production zone

Where:

Māori Purpose zone

PER-1

No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 20m.

Open Space zone

PER-2

All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m².

Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER- 4, PER 5, PER-6 or PER-7: Restricted Discretionary

Matters of discretion are restricted to:

PER-3

Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the national boundary of any other site.

- a. location, scale and size of the activity;
- b. adverse effects on any area with historical or cultural values, natural values or coastal values;
- c. shadow flicker and glare on surrounding sites, waterbodies and private and public roads;
- d. character, level, duration of noise received at the boundary or national boundary of another site;
- e. effects on migratory birds using any identified and scientifically established flight path;
- f. function and operational need to be in that location;
- g. alternative design options for the structure; and
- h. colour scheme of structure(s), screening and landscaping.

PER-4

The setback of any structure from a road, is at least three times the height of structure or 20m, whichever is the greatest distance.

PER-5

Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.

PER-6

Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where

the electricity will be supplied to.

Sentiment: Support in Part

Submission:

Spelling error in REG-R6 PER-3. Should read as 'notional boundary' not 'national boundary'

Relief sought **S368.016**

REG-R6 **Community scale renewable electricity generation activity (new and upgrading)**

Rural **Activity status: Permitted**

Production zone

Where:

Māori Purpose zone

PER-1

No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 20m.

Open Space zone

PER-2

All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m².

Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5, PER-6 or PER-7: Restricted Discretionary

Matters of discretion are restricted to:

PER-3

Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the ~~national~~ notional boundary of any other site.

- a. location, scale and size of the activity;
- b. adverse effects on any area with historical or cultural values, natural values or coastal values;
- c. shadow flicker and glare on surrounding sites, waterbodies and private and public roads;
- d. character, level, duration of noise received at the boundary or national boundary of another site;
- e. effects on migratory birds using any identified and scientifically established flight path;
- f. function and operational need to be in that location;
- g. alternative design options for the structure; and
- h. colour scheme of structure(s), screening and landscaping.

PER-4

The setback of any structure from a road, is at least three times the height of structure or 20m, whichever is the greatest distance.

PER-5

Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.

PER-6

Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where the electricity will be supplied to.

Point .

Section: Maori Purpose

Sub-section: Standards

Provision:

MPZ-S1 Maximum height

Māori Purpose zone - Urban The maximum height of the building or structure, or extension or alteration to an existing building or structure is 11m above ground level.

Where the standard is not met, matters of discretion are restricted to:

This standard does not apply to:

- i. pou haki provided that they do not exceed the height limit by more than 1m;
- ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;
- iii. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;
- iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and
- v. Architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.

- a. the character and amenity of the surrounding built environment;
- b. dominance in relation to the road and adjoining sites;
- c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites;
- d. shading and loss of access to sunlight for adjoining sites;
- e. landscaping; and
- f. natural hazard mitigation and site constraints.

Māori Purpose zone - Rural The maximum height of the building or structure, or extension or alteration to an existing building or structure is 12m above ground level.

This standard does not apply to:

- i. pou haki provided that they do not exceed the height limit by more than 1m;
- ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;
- iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation;
- iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and
- v. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.

Sentiment: Support in Part

Submission:

The proposed maximum height standard for Māori Purpose Zone - urban is currently 11m above ground level, which is inconsistent with the 8m maximum height limit for the General Residential Zone, and could lead to potential adverse effects on character and amenity for surrounding residential sites. Key reasons for the requested change are:

- Council's intention was that the maximum height for the Māori Purpose zone - Urban would be consistent with the maximum height for the General Residential Zone (as inferred by Section 5.3.3 of the S32 report – Tangata Whenua).
- A large portion of MPZ - Urban zoned sites are residential in size and nature. Initial GIS analysis indicates that there are only approximately 16 sites zoned Māori Purpose – Urban Zone across the District that directly adjoin the Mixed Use, Light or Heavy Industrial Zones.
- The amendment would achieve greater consistency in character and amenity between the MPZ-Urban and General Residential or Settlement Zones.

S368.017

Relief sought

MPZ-S1 Maximum height

Māori Purpose zone - Urban The maximum height of the building or structure, or extension or alteration to an existing building or structure is ~~11~~ 12m above ground level except.

Where the standard is not met, matters of discretion are restricted to:

1. Where the site adjoins the Mixed Use Zone, Light or Heavy Industrial zones, the maximum height is 12 m above ground level.

- a. the character and amenity of the surrounding built environment;
- b. dominance in relation to the road and adjoining sites;

This standard does not apply to:

- i. pou haki provided that they do not exceed the height limit by more than 1m;
 - ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;
 - iii. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;
 - iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and
 - v. Architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.
- c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites;
 - d. shading and loss of access to sunlight for adjoining sites;
 - e. landscaping; and
 - f. natural hazard mitigation and site constraints.

Māori Purpose zone - Rural The maximum height of the building or structure, or extension or alteration to an existing building or structure is 12m above ground level.

This standard does not apply to:

- i. pou haki provided that they do not exceed the height limit by more than 1m;
- ii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;
- iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation;
- iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and
- v. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.

Point .

Section: Transport

Sub-section: Standards

Provision:

TRAN-S4

Requirements for road design

All zones

1. All new roads and upgrades to existing roads shall be designed and constructed in accordance with Far North District Council Engineering Standards April 2022 and must be supported by an Integrated Transport Assessment approved by a suitably qualified and experienced transport professional; and
2. Cul-de-sacs must meet the Local Road requirements in Far North District Council Engineering Standards April 2022 and the following additional requirements:
 - i. it must not exceed a maximum length of 150m
 - ii. there must be a shared-use path link for pedestrians, cyclists and mobility devices at the end of the cul-de-sac in the General Residential and Mixed Use zones to existing adjacent public road, open spaces, recreational facilities, schools or other neighbourhood facilities and where these facilities do not currently exist provision should be made to reserve

Where the standard is not met, matters of discretion are restricted to:

- a. safety implications of the non-compliance with engineering standards; and
- b. layout or topographical constraints that prevent cul-de-sacs meeting the design standards.

- a shared-use corridor for future connection,
- iii. there must be no more than one private accessway at the end of the cul-de-sac; and
- iv. it must incorporate a turning head meeting the following requirements:
 - 25m diameter with on-street parking in the General Residential zone; or
 - 30m diameter with on-street parking in all other zones.

Sentiment: Support in Part

Submission:

The reference to Council engineering standards needs to be applied correctly under 'Where the standard is not met, matters of discretion are restricted to: a.' - 'Far North District Council Engineering Standards April 2022'

Relief sought **S368.018**
TRAN-S4 **Requirements for road design**
All zones

1. All new roads and upgrades to existing roads shall be designed and constructed in accordance with Far North District Council Engineering Standards April 2022 and must be supported by an Integrated Transport Assessment approved by a suitably qualified and experienced transport professional; and
2. Cul-de-sacs must meet the Local Road requirements in Far North District Council Engineering Standards April 2022 and the following additional requirements:
 - i. it must not exceed a maximum length of 150m
 - ii. there must be a shared-use path link for pedestrians, cyclists and mobility devices at the end of the cul-de-sac in the General Residential and Mixed Use zones to existing adjacent public road, open spaces, recreational facilities, schools or other neighbourhood facilities and where these facilities do not currently exist provision should be made to reserve a shared-use corridor for future connection,
 - iii. there must be no more than one private accessway at the end of the cul-de-sac; and
 - iv. it must incorporate a turning head meeting the following requirements:
 - 25m diameter with on-street parking in the General Residential zone; or
 - 30m diameter with on-street parking in all other zones.

Where the standard is not met, matters of discretion are restricted to:

- a. safety implications of the non-compliance with Far North District Council Engineering Standards April 2022 engineering standards; and
- b. layout or topographical constraints that prevent cul-de-sacs meeting the design standards.

Point .

Section: Light industrial

Sub-section: Policies

Provision:

- LIZ-P2** Require all subdivision in the Light Industrial zone to provide the following reticulated services to the boundary of each lot:
- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
 - b. local electricity distribution network; and
 - c. wastewater, potable water supply and stormwater where it is available.

Sentiment: Support in Part

Submission:

Minor grammatical correction in reference to c.

S368.019

Relief sought

- LIZ-P2** Require all subdivision in the Light Industrial zone to provide the following reticulated services to the boundary of each lot:
- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
 - b. local electricity distribution network; and
 - c. wastewater, potable water supply and stormwater where they are it is available.

Point .

Section: Heavy industrial

Sub-section: Policies

Provision:

- HIZ-P2** Require all subdivision in the Heavy Industrial zone to provide the following reticulated services to the boundary of each lot:
- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
 - b. local electricity distribution network; and
 - c. wastewater, potable water supply, and stormwater where it is available.

Sentiment: Support in Part

Submission: **S368.020**

Minor grammatical correction in reference to c.

Relief sought

- HIZ-P2** Require all subdivision in the Heavy Industrial zone to provide the following reticulated services to the boundary of each lot:
- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
 - b. local electricity distribution network; and
 - c. wastewater, potable water supply, and stormwater where they are it is available.

Point .

Section: General residential

Sub-section: Policies

Provision:

GRZ-P2 Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications:
 - i. fibre where it is available; or
 - ii. copper where fibre is not available;
- b. local electricity distribution network;
- c. wastewater; and
- d. potable water and stormwater where it is available.

Sentiment: Support in Part

Submission:

Minor grammatical correction in reference to d.

Relief sought **S368.021**

GRZ-P2 Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications:
 - i. fibre where it is available; or
 - ii. copper where fibre is not available;
- b. local electricity distribution network;
- c. wastewater; and
- d. potable water and stormwater where they are ~~it is~~ available.

Point .

Section: Kororareka Russell Township

Sub-section: Policies

Provision:

KRT-P2 Require all subdivision in the Kororāreka Russell Township zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available; or
- c. copper where fibre is not available;
- d. local network power supply;
- e. wastewater; and
- f. potable water and stormwater where it is available.

Sentiment: Support in Part

Submission:

Minor grammatical error in reference to f.

Relief sought **S368.022**

Require all subdivision in the Kororāreka Russell Township zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available; or
- c. copper where fibre is not available;
- d. local network power supply;
- e. wastewater; and
- f. portable water and stormwater where they are ~~it is~~ available.

Point .

Section: Mixed use

Sub-section: Policies

Provision:

MUZ-P2 Require all subdivision in the Mixed Use zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
- b. local electricity distribution network; and
- c. wastewater, potable water supply and stormwater where it is available.

Sentiment: Support in Part

Submission:

Minor grammatical error in reference to c.

Relief sought

S368.023

MUZ-P2 Require all subdivision in the Mixed Use zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications:
 - i. fibre where it is available;
 - ii. copper where fibre is not available;
 - iii. copper where the area is identified for future fibre deployment.
- b. local electricity distribution network; and
- c. wastewater, potable water supply and stormwater where they are ~~it is~~ available.

Point .

Section: General residential

Sub-section: Rules

Provision:

GRZ-R10	Retirement village
General Residential zone	Activity status: Restricted discretionary
	Activity status where compliance not achieved with RD-1: Discretionary
	Where
	RD-1
	The activity will be accommodated within a new building or structure, or extensions to an existing building or structure which comply with standards:
	GRZ-S1 Maximum height
	GRZ-S2 Height in relation to boundary
	GRZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)
	GRZ-S4 Setback from MHWS

GRZ-S5 Façade length

GRZ-S6 Outdoor living space

GRZ-S7 Outdoor storage

Matters of discretion are restricted to:

- a. safe integration of vehicle and pedestrian access with the adjoining road network.
- b. provision of landscaping and bunding, on-site amenity for residents, recreational facilities and stormwater systems.
- c. design and layout of pedestrian circulation.
- d. residential amenity for surrounding sites in respect of outlook and privacy.
- e. visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas and external storage areas.
- f. the benefits associated with provision of accommodation to meet the needs of the elderly.

Sentiment: Support in Part

Submission:

The rule does not provide for the establishment of a retirement village in existing buildings. This would result in any attempt to convert existing buildings/residential units to retirement villages a discretionary activity. A minor change to the wording is required to provide for existing buildings.

S368.024

Relief sought

GRZ-R10	Retirement village
General Residential zone	Activity status: Restricted discretionary
	Activity status where compliance not achieved with RD-1: Discretionary

Where

RD-1

The activity will be accommodated within a ~~new~~ building or structure, or extensions to an existing building or structure which comply with standards:

GRZ-S1 Maximum height

GRZ-S2 Height in relation to boundary

GRZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)

GRZ-S4 Setback from MHWS

GRZ-S5 Façade length

GRZ-S6 Outdoor living space

GRZ-S7 Outdoor storage

Matters of discretion are restricted to:

- a. safe integration of vehicle and pedestrian access with the adjoining road network.
- b. provision of landscaping and bunding, on-site amenity for residents, recreational facilities and stormwater systems.
- c. design and layout of pedestrian circulation.
- d. residential amenity for surrounding sites in respect of outlook and privacy.
- e. visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas and external storage areas.
- f. the benefits associated with provision of accommodation to meet the needs of the elderly.

Point .

Section: Rural residential

Sub-section: Rules

Provision:

RRZ-R10

Minor residential unit

Rural Residential zone

Activity status: Controlled

Activity status where compliance not achieved with CON-3 or CON-4:

Where:

Discretionary

Activity status where compliance not achieved with CON-1, CON-2 or CON-5:

CON-1

Non-complying

The number of minor residential units on a site does not exceed one.

CON-2

The site area per minor residential unit is at least 4,000m².

CON-3

The minor residential unit shares vehicle access with the principal residential unit;

CON-4

The separation distance between the minor residential unit and the principal residential unit does not exceed 15m.

CON-5

The minor residential unit:

1. does not exceed a GFA of 65m²;
2. with an optional attached garage or carport that does not exceed GFA of 18m², where the garage or carport is used for vehicle storage, general storage and laundry facilities.

Matters of control are limited to:

- i. the character and appearance of the residential unit(s) and any accessory building(s) in relation to the principal residential unit;
- ii. the siting of the building(s), decks and outdoor areas relative to adjoining sites;
- iii. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;
- iv. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic;
- v. servicing requirements and any constraints of the site;
- vi. the each residential unit has sufficient outdoor open space, and there is sufficient room for any landscaping, egress and any accessory building(s) required;
- vii. whether the location of the building(s) and residential activity could create reverse sensitivity effects on adjacent and surrounding primary production activities;
- viii. whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land;
- ix. whether the layout of the development reduces the risk of future land fragmentation or sterilisation while maintaining the existing rural character of the surrounding area;
- x. any natural hazard affecting the site or surrounding area.

Sentiment: Support in Part

Submission:

Typo in matters of control ii. "sitting"

Relief sought	\$368.025	
RRZ-R10	Minor residential unit	
Rural Residential zone	Activity status: Controlled	Activity status where compliance not achieved with CON-3 or CON-4:
	Where:	Discretionary
		Activity status where compliance not achieved with CON-1, CON-2 or CON-5:
	CON-1	Non-complying
	The number of minor residential units on a site does not exceed one.	
	CON-2	
	The site area per minor residential unit is at least 4,000m ² .	
	CON-3	
	The minor residential unit shares vehicle access with the principal residential unit;	
	CON-4	
	The separation distance between the minor residential unit and the principal residential unit does not exceed 15m.	

CON-5

The minor residential unit:

1. does not exceed a GFA of 65m²;
2. with an optional attached garage or carport that does not exceed GFA of 18m², where the garage or carport is used for vehicle storage, general storage and laundry facilities.

Matters of control are limited to:

- i. the character and appearance of the residential unit(s) and any accessory building(s) in relation to the principal residential unit;
- ii. the siting of the building(s), decks and outdoor areas relative to adjoining sites;
- iii. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;
- iv. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic;
- v. servicing requirements and any constraints of the site;
- vi. the each residential unit has sufficient outdoor open space, and there is sufficient room for any landscaping, egress and any accessory building(s) required;
- vii. whether the location of the building(s) and residential activity could create reverse sensitivity effects on adjacent and surrounding primary production activities;
- viii. whether the development will result in the site being unable to continue to undertake a primary production activity or undertake one in the future due to loss of productive land;
- ix. whether the layout of the development reduces the risk of future land fragmentation or sterilisation while maintaining the existing rural character of the surrounding area;
- x. any natural hazard affecting the site or surrounding area.

Point .

Section: Settlement

Sub-section: Rules

Provision:

RSZ-R4 **Visitor accommodation**
Settlement **Activity status: Permitted**
zone

Activity status where compliance with not achieved with PER-1, PER-2 or PER-3:

Restricted Discretionary

Where:

PER-1

The visitor accommodation is within a residential unit, accessory building or minor residential unit.

Matters of discretion are restricted to:

- a. the number of visitors accommodated;
- b. the location and design of buildings, outdoor areas, parking and loading areas and access;
- c. hours of operation;
- d. noise, disturbance and loss of privacy of adjacent

PER-2

The occupancy does not exceed six guests per night.

PER-3

The site does not share access with another site.

- sites;
- e. screening and landscaping;
- f. waste treatment and disposal;
- g. water supply for drinking and firefighting; and
- h. stormwater disposal.

Sentiment: Support in Part

Submission:

Correction: Matter of discretion f. should say 'wastewater treatment and disposal'

Relief sought **S368.026**
RSZ-R4 **Visitor accommodation**
Settlement **Activity status: Permitted**
zone

Activity status where compliance with not achieved with PER-1, PER-2 or PER-3:

Restricted Discretionary

Where:

Matters of discretion are restricted to:

PER-1

The visitor accommodation is within a residential unit, accessory building or minor residential unit.

- a. the number of visitors accommodated;
- b. the location and design of buildings, outdoor areas, parking and loading areas and access;
- c. hours of operation;
- d. noise, disturbance and loss of privacy of adjacent sites;
- e. screening and landscaping;
- f. wastewater treatment and disposal;
- g. water supply for drinking and firefighting; and
- h. stormwater disposal.

PER-2

The occupancy does not exceed six guests per night.

PER-3

The site does not share access with another site.

Point .

Section: Planning Maps

Sentiment: Support in Part

Submission:

The special zone grey background requirement from the National Planning Standards needs further refinement to the symbology to enable plan users to better understand zoning in the ePlan. Clarity is also required within the Legend of the ePlan

Relief sought **S368.027**

Amend symbology of special zones, as well as legend scale, to enable easier differentiation of special zones in the PDP.

Point .

Section: Definitions

Sentiment: Support in Part

Submission:

Correction: The definition of 'Accessory Building' is duplicated

Relief sought S368.028

Delete one of the definitions for 'Accessory Building'

Point .

Section: Definitions

Sentiment: Support in Part

Submission:

Correction: There is a typo within the definition of 'Highly Productive Land'

Relief sought S368.029

Correction the definition of 'Highly Productive Land' in line with the intended wording.

means land that is, or has the potential to be, highly productive for farming activities. It includes versatile soils, ~~and~~ Land Use Capability Class 4 land, and other Land Use Capability classes of land where land is Land Use Capability, or has the potential to be, highly productive having regard to:

- a. Soil type;
 - b. Physical characteristics of the land and soil; and
 - c. Climate conditions; and
 - d. Water availability.
-

Point .

Section: Renewable electricity generation

Sub-section: Policies

Provision:

REG-P4 Provide for the benefits of new community scale and new large-scale renewable electricity generation activities, which include:

- a. security of electricity supply;
- b. increased energy independence from local generation;
- c. economic benefits to the local, regional or national economy;
- d. helping to meet local, regional or central government renewable electricity and emission reduction targets;
- e. improved quality of life and standard of living;
- f. public health; and
- g. adverse effects are managed in accordance with REE-P5 and P6.

Sentiment: Support in Part

Submission:

Typo: REG-P5 is incorrectly referenced in g.

Relief sought S368.030

REG-P4 Provide for the benefits of new community scale and new large-scale renewable electricity generation activities, which include:

- a. security of electricity supply;
 - b. increased energy independence from local generation;
 - c. economic benefits to the local, regional or national economy;
 - d. helping to meet local, regional or central government renewable electricity and emission reduction targets;
 - e. improved quality of life and standard of living;
 - f. public health; and
 - g. adverse effects are managed in accordance with ~~REG~~-P5 and P6.
-

Point .

Section: Renewable electricity generation

Sub-section: Rules

Provision:

Provision:

REG-R2	Small scale renewable electricity generation activity attached to buildings or structures (new and upgrading)	
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-1:
		Restricted Discretionary
	Where:	
		Matters of discretion are restricted to:
	PER-1	
	It does not exceed the permitted maximum height standard for the zone it is located in, by more than 3m.	a. visual domination, overshadowing, loss of privacy on adjoining sites, noise; b. loss of access to sunlight and daylight on adjoining sites; and c. the location and proximity of residential units and their associated outdoor areas on adjoining sites.

Sentiment: Support in Part

Submission:

Plan usability: Improve PDP usability by including 'small scale renewable electricity generation activity' within the rule to provide a link to the definition.

Relief sought **S368.031**

REG-R2	Small scale renewable electricity generation activity attached to buildings or structures (new and upgrading)	
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-1:
		Restricted Discretionary
	Where:	
		Matters of discretion are restricted to:
	PER-1	
	# <u>The small scale renewable electricity generation activity</u> does not exceed the permitted maximum height standard for the zone it is located in, by more than 3m.	a. visual domination, overshadowing, loss of privacy on adjoining sites, noise; b. loss of access to sunlight and daylight on adjoining sites; and c. the location and proximity of residential units and their associated outdoor areas on adjoining sites.

Point .

Section: Horticulture

Sub-section: Rules

Provision:

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Transport, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

Sentiment: Support in Part

Submission: S368.032

Typo: Missing the word 'chapter' in NOTE 2

Relief sought

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Transport, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

Point .

Section: Moturoa Island zone

Sub-section: Rules

Provision:

MIZ-R3 Farming

Moturoa Island Activity status: Permitted zone

Activity status where compliance not achieved with PER-1 or PER-2: Non-complying

Where:

PER-1

Farming is limited to the grazing of sheep and goats.

PER-2

Farming is outside of any significant natural area identified on the Moturoa Island Development Plan as Conservation/wildlife areas.

Sentiment: Support in Part

Submission:

Correction: The intent of 'Farming' in PER-2 is to limit it to the grazing of sheep and goats, as identified in PER-1.

Relief sought	S368.033	
MIZ-R3	Farming	
Moturoa Island zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1 or PER-2: Non-complying
	Where:	
	PER-1	
	Farming is limited to the grazing of sheep and goats.	
	PER-2	
	Farming. <u>The grazing of sheep and goats</u> is outside of any significant natural area identified on the Moturoa Island Development Plan as Conservation/wildlife areas.	

Point .

Section: Subdivision

Sub-section: Note: Rules SUB-R8 – SUB-R20 are specific rules relating to subdivision of land in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan and apply in addition to SUB-R1 – SUB-R7.

Provision:

SUB-R9	Subdivision of a site within the National Grid Corridor	
All zones	Activity status: Restricted Discretionary	Activity status where compliance not achieved with RDIS-1: Non-complying
	Where:	
	RDIS- 1	
	Proposed building platforms are identified for each allotment and located wholly outside of the National Grid Yard (except where the allotments are for roads, esplanades, accessways and infrastructure).	
	Matters of discretion are restricted to:	
	<ul style="list-style-type: none"> a. the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability for continued reasonable access for inspections, maintenance and upgrading; b. the location of any future building platform as it relates to the National Grid Yard; c. the extent to which the subdivision design allows for any future sensitive activity and associated buildings to be setback from the National Grid; d. the nature and location of any vegetation to be planted in the vicinity of the National Grid; e. the ability of future development to comply with NZECP 34: 2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; f. the risk of electrical hazards affecting public or individual 	

- g. safety, and the risk of public and private property damage; and
- g. the outcome of any consultation with the owner and operator of the National Grid.

Sentiment: Support in Part

Submission:

Spelling error: (except where **he** allotments are for roads, esplanades, accessways and infrastructure)

Relief sought **S368.034**

SUB-R9 **Subdivision of a site within the National Grid Corridor**

All zones **Activity status: Restricted Discretionary**

Activity status where compliance not achieved with RDIS-1: Non-complying

Where:

RDIS- 1

Proposed building platforms are identified for each allotment and located wholly outside of the National Grid Yard (except where the allotments are for roads, esplanades, accessways and infrastructure).

Matters of discretion are restricted to:

- a. the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability for continued reasonable access for inspections, maintenance and upgrading;
- b. the location of any future building platform as it relates to the National Grid Yard;
- c. the extent to which the subdivision design allows for any future sensitive activity and associated buildings to be setback from the National Grid;
- d. the nature and location of any vegetation to be planted in the vicinity of the National Grid;
- e. the ability of future development to comply with NZECP 34: 2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;
- f. the risk of electrical hazards affecting public or individual safety, and the risk of public and private property damage; and
- g. the outcome of any consultation with the owner and operator of the National Grid.

Point .

Section: Contents

Sentiment: Support in Part

Submission:

Grammatical errors in the Overview .

Relief sought **S368.035**

Fix grammatical errors

'Much of the ~~Districts~~ District's coastline...'

'...while ensuring the ~~communities~~ community's health, safety and wellbeing.'

Point .

Section: General

Sentiment: Support in Part

Submission:

The referenced to TW-P6 in the policy framework of chapters needs to provide a link to TW-P6

Relief sought **S368.036**

Provide a link to TW-P6 in the policies that reference it to assist plan usability

Point .

Section: Coastal environment

Sub-section: Rules

Provision:

CE-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Coastal environment	Activity status: Permitted	Activity status where compliance not achieved with PER-1:
		Discretionary (inside a high natural character area)
	Where:	Non-complying (inside an outstanding natural character area)
		Activity status where compliance not achieved with PER-2:
	PER-1	Discretionary (outside an outstanding natural character area)
	If a new building or structure is located in an urban zone it is:	Non-complying (inside an outstanding natural character area)
	1. no greater than 300m ² .	Activity status where compliance not achieved with PER-3 or PER-4:
	2. located outside high or outstanding natural character areas.	Discretionary
	PER-2	
	If a new building or structure is not located within an urban zone it is:	
	1. ancillary to farming activities (excluding a residential unit).	
	2. no greater than 25m ² .	
	3. located outside outstanding natural character areas.	
	PER-3	
	Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.	
	PER-4	
	The building or structure, or extension or addition to an existing building or structure, complies with standards:	
	CE-S1 Maximum height.	

CE-S2 Colours and materials.

Sentiment: Support in Part

Submission:

Spelling error in PER-2. Replace 'then' with 'than'

Relief sought

S368.037

CE-R1

New buildings or structures, and extensions or alterations to existing buildings or structures

Coastal environment

Activity status: Permitted

Activity status where compliance not achieved with PER-1:

Where:

Discretionary (inside a high natural character area)

PER-1

Non-complying (inside an outstanding natural character area)

If a new building or structure is located in an urban zone it is:

Activity status where compliance not achieved with PER-2:

1. no greater than 300m².
2. located outside high or outstanding natural character areas.

Discretionary (outside an outstanding natural character area)

PER-2

Non-complying (inside an outstanding natural character area)

If a new building or structure is not located within an urban zone it is:

Activity status where compliance not achieved with PER-3 or PER-4:

1. ancillary to farming activities (excluding a residential unit).
2. no greater ~~than~~ than 25m².
3. located outside outstanding natural character areas.

Discretionary

PER-3

Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.

PER-4

The building or structure, or extension or addition to an existing building or structure, complies with standards:

CE-S1 Maximum height.

CE-S2 Colours and materials.

Point .

Section: Treaty settlement land overlay

Sub-section: Objectives

Provision:

TSL-O3 Treaty Settlement Land returned as cultural redress provides for the on-going relationship tangata whenua has with their land.

Sentiment: Support in Part

Submission:

spelling error: Tangata

Relief sought

S368.038

TSL-O3

Treaty Settlement Land returned as cultural redress provides for the on-going relationship ~~tangata~~ tangata tangata whenua has with their

Point .

Section: Treaty settlement land overlay

Sub-section: Rules

Provision:

Notes:

1. There may be rules in other District-Wide Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to Note 2 above, and the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. The following provisions apply to land identified by the Treaty Settlement land overlay. Applicants may need to provide documentation in the form of final deeds of settlement, associated settlement legislation and confirmation that the land is still held with the post-settlement governance entity.
3. The provisions of the underlying zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules provide that where the activity for the relevant zone provides for the same activity, or where there is conflict between a rule or standard in the underlying zone chapter, the less restrictive rule applies.

Sentiment: Support in Part

Submission:

Typo: Text correction

Relief sought **S368.039**

Notes:

1. There may be rules in other District-Wide Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to ~~Note 2 above~~, and the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
 2. The following provisions apply to land identified by the Treaty Settlement land overlay. Applicants may need to provide documentation in the form of final deeds of settlement, associated settlement legislation and confirmation that the land is still held with the post-settlement governance entity.
 3. The provisions of the underlying zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules provide that where the activity for the relevant zone provides for the same activity, or where there is conflict between a rule or standard in the underlying zone chapter, the less restrictive rule applies.
-

Point .

Section: Mineral extraction overlay

Sub-section: Policies

Provision:

ME-P5 Avoid adverse effects, and avoid, remedy or mitigate other adverse effects from new and the expansion of existing mineral extraction activities on the characteristics and qualities of the following, where located outside of the Coastal Environment Overlay:

- a. Outstanding Natural Landscapes;
- b. Outstanding Natural Features;
- c. Outstanding Natural Character;
- d. Significant Natural Area;
- e. Historic and cultural values; and
- f. Sites and Areas of Significance to Māori.

Sentiment: Support in Part

Submission:

Outstanding Natural Character only occurs within the coastal environment so is redundant in this policy, needs to be removed

S368.040

Relief sought

ME-P5 Avoid adverse effects, and avoid, remedy or mitigate other adverse effects from new and the expansion of existing mineral extraction activities on the characteristics and qualities of the following, where located outside of the Coastal Environment Overlay:

- a. Outstanding Natural Landscapes;
- b. Outstanding Natural Features;
- c. ~~Outstanding Natural Character;~~
- d. Significant Natural Area;
- e. Historic and cultural values; and
- f. Sites and Areas of Significance to Māori.

Point .

Section: Earthworks

Sub-section: Standards

Provision:

EW-S4 **Site reinstatement**

All zones As soon as practicable, but no later than six months from the commencement of works:

- i. the earthworks area shall be established, filled and/or recontoured in a manner consistent with the surrounding land.
- ii. replanted with vegetation which is the same as, or of similar species, to that which existed on the site prior to the earthworks taking place (if any), except that where the site was vegetation with any plant pest, the site may be replanted with indigenous vegetation, from locally sourced genetic stocks or
- iii. sealed, paved, metaled or built over.

Where the standard is not met, matters of discretion are restricted to:

- a. the location, scale and volume;
- b. depth and height of cut and fill;
- c. the nature of filling material and whether it is compacted;
- d. the extent of exposed surfaces or stockpiling of fill;
- e. erosion, dust and sediment controls;
- f. the risks of natural hazards, particularly flood events;
- g. stormwater controls;
- h. flood storage, overland flow paths and drainage patterns;
- i. impacts on natural coastal processes;
- j. the stability of land, buildings and infrastructure;
- k. natural character, landscape, historic heritage, spiritual and cultural values;
- l. the life-supporting capacity of soils;
- m. the extent of indigenous vegetation clearance and its effect on biodiversity;
- n. outstanding natural character, outstanding natural landscapes and outstanding natural features;
- o. riparian margins;
- p. the location and use of infrastructure;
- q. temporary or permanent nature of any adverse effect;
- r. traffic and noise effects;
- s. time of year earthworks will be carried out and duration of the activity; and
- t. impact on visual and amenity values

Sentiment: Support in Part

Submission:

Spelling error 'established'

Relief sought **S368.041**

EW-S4**Site reinstatement****All zones**

As soon as practicable, but no later than six months from the commencement of works:

- i. the earthworks area shall be established, filled and/or recontoured in a manner consistent with the surrounding land.
- ii. replanted with vegetation which is the same as, or of similar species, to that which existed on the site prior to the earthworks taking place (if any), except that where the site was vegetation with any plant pest, the site may be replanted with indigenous vegetation, from locally sourced genetic stocks or
- iii. sealed, paved, metaled or built over.

Where the standard is not met, matters of discretion are restricted to:

- a. the location, scale and volume;
- b. depth and height of cut and fill;
- c. the nature of filling material and whether it is compacted;
- d. the extent of exposed surfaces or stockpiling of fill;
- e. erosion, dust and sediment controls;
- f. the risks of natural hazards, particularly flood events;
- g. stormwater controls;
- h. flood storage, overland flow paths and drainage patterns;
- i. impacts on natural coastal processes;
- j. the stability of land, buildings and infrastructure;
- k. natural character, landscape, historic heritage, spiritual and cultural values;
- l. the life-supporting capacity of soils;
- m. the extent of indigenous vegetation clearance and its effect on biodiversity;
- n. outstanding natural character, outstanding natural landscapes and outstanding natural features;
- o. riparian margins;
- p. the location and use of infrastructure;
- q. temporary or permanent nature of any adverse effect;
- r. traffic and noise effects;
- s. time of year earthworks will be carried out and duration of the activity; and
- t. impact on visual and amenity values

Point .

Section: Light

Sub-section: Rules

Provision:

LIGHT-R1 Emission of artificial light

All zones Activity status: Permitted

Activity status where compliance not achieved with PER-1 and PER-2: Restricted discretionary

Where:

Matters of discretion are restricted to:

PER-1

Artificial light emitted undertaken on a site complies with AS/NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting;

- a. any relevant matter in the infringed standard.

PER-2

Artificial lighting emitted complies with standard:

LIGHT-S1 Maximum level of light spill.

Sentiment: Support in Part

Submission:

Drafting error

S368.042

Relief sought

LIGHT-R1

Emission of artificial light

All zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1 and PER-2: Restricted discretionary

Where:

Matters of discretion are restricted to:

PER-1

Artificial light emitted ~~undertaken on~~ from a site complies with AS/NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting;

a. any relevant matter in the infringed standard.

PER-2

Artificial lighting emitted complies with standard:

LIGHT-S1 Maximum level of light spill.

Point .

Section: Signs

Sub-section: Rules

Provision:

SIGN-R6

Double-sided and V-shaped signs

All zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

PER-3

The sign complies with standards:

SIGN-S1 Maximum area;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number;

SIGN-S4 Traffic safety; and

SIGN-S5 Sign design and content.

a. the matters of any infringed standard.

Activity status where compliance not achieved with PER-2: Discretionary

PER-2

The sign is not for third party advertising.

Sentiment: Support in Part

Submission:

Incorrect numbering of permitted rules

Relief sought **S368.043**
SIGN-R6 **Double-sided and V-shaped signs**
All zones **Activity status: Permitted**

Activity status where compliance not achieved with PER-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

PER-3 PER-1

The sign complies with standards:

SIGN-S1 Maximum area;

SIGN-S2 Maximum height;

SIGN-S3 Maximum number;

SIGN-S4 Traffic safety; and

SIGN-S5 Sign design and content.

a. the matters of any infringed standard.

Activity status where compliance not achieved with PER-2: Discretionary

PER-2

The sign is not for third party advertising.

Point .

Section: Rural lifestyle

Sub-section: Rules

Provision:

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

Sentiment: Support in Part

Submission:

Missing the word 'chapter' in NOTE 2

Relief sought **S368.044**

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a

proposed activity where resource consent is required under multiple rules.

2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

Point .

Section: Rural lifestyle

Sub-section: Rules

Provision:

RLZ-R9 Rural produce retail
Rural Lifestyle Activity status: Permitted
Zone

Activity status where compliance not achieved with
PER-1 or PER:

Discretionary

Where:

PER-1

The activity does not exceed GBA of 50m² and is set back a minimum of 30m from any internal boundary.

PER-2

The number of rural produce retail operations does not exceed one per site.

Sentiment: Support in Part

Submission:

Drafting error: Missing reference to PER-2 in column 3

Relief sought **S368.045**
RLZ-R9 Rural produce retail
Rural Lifestyle Activity status: Permitted
Zone

Activity status where compliance not achieved with
PER-1 or PER-2:

Discretionary

Where:

PER-1

The activity does not exceed GBA of 50m² and is set back a minimum of 30m from any internal boundary.

PER-2

The number of rural produce retail operations does not exceed one per site.

Point .

Section: Contents

Sentiment: Support in Part

Submission:

Reference to 'contaminated land' in the Contents needs to be removed as it is not a chapter in the PDP

Relief sought **S368.046**

Remove the reference to 'contaminated land' in the contents chapter of the PDP

Point .

Section: General

Sentiment: Support in Part

Submission:

Typo: There is a typo within the Standard for 'Setback from MHWS' across all zones within the PDP, in matter of discretion d. should be 'constraints' nor 'constricts'

Example in the General Residential zone provided:

GRZ-54	Setback from MHWS	
General Residential zone	The building or structure, or extension or alteration to an existing building or structure must be set back at least 26m from MHWS.	Where the standard is not met, matters of discretion are restricted to: a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constricts; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.
Relief sought	S368.047, S368.048, S368.049, S368.050, S368.051, S368.052, S368.053, S368.054, S368.055, S368.056, S368.057, S368.058, S368.059, S368.060, S368.061	

Replace the word 'constricts' with 'constraints' in the standard for 'Setback from MHWS in all zones in the PDP.

d. Natural hazard mitigation and site ~~constricts~~ constraints;

Point .

Section: Activities on the surface of water

Sub-section: Rules

Provision:

ASW-R1	The use of non-motorised craft	
Surface of all rivers and lakes in all zones	Activity status: Permitted Where: PER-1 The use is a non-commercial recreation activity or a customary activity. PER-2	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary

The craft is not used for residential activity.

PER-3

The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.

Sentiment: Support in Part

Submission:

Use the term 'reservoirs' in PER-3 as a way to catch future potential reservoirs instead of listing Waingaro and Manuwai reservoirs in particular.

Relief sought

S368.062

ASW-R1

The use of non-motorised craft

Surface of all rivers and lakes in all zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary

Where:

PER-1

The use is a non-commercial recreation activity or a customary activity.

PER-2

The craft is not used for residential activity.

PER-3

The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on ~~Waingaro and Manuwai~~ reservoirs.

Point .

Section: Activities on the surface of water

Sub-section: Rules

Provision:

ASW-R2

The use of motorised craft

Surface of all rivers and lakes in all zones

Activity status: Permitted

Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary

Where:

PER-1

The use is a non-commercial recreation activity.

PER-2

The craft is not used for residential activity.

PER-3

The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.

PER-4

With the exception of activities provided for in PER-3, the activity does not occur on any of the following water bodies:

- a. Lake Ngatu;
- b. Lake Owhariti;
- c. Lake Heather;
- d. Lake Rotorua;
- e. Far North Dune Lakes;
- f. Waitangi River (above Haruru Falls);
- g. Waingaro Reservoir;
- h. Manuwai Reservoir.

Sentiment: Support in Part

Submission:

Use the term 'reservoirs' in PER-3 as a way to catch future potential reservoirs instead of listing Waingaro and Manuwai reservoirs in particular.

Relief sought S368.063
ASW-R2 **The use of motorised craft**
Surface of all rivers and lakes in all zones **Activity status: Permitted**
Where:

Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary

PER-1

The use is a non-commercial recreation activity.

PER-2

The craft is not used for residential activity.

PER-3

The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on ~~Waingaro and Manuwai~~ reservoirs.

PER-4

With the exception of activities provided for in PER-3, the activity does not occur on any of the following water bodies:

- a. Lake Ngatu;
- b. Lake Owhariti;
- c. Lake Heather;
- d. Lake Rotorua;
- e. Far North Dune Lakes;
- f. Waitangi River (above Haruru Falls);
- g. Waingaro Reservoir;
- h. Manuwai Reservoir.

Point .

Section: Activities on the surface of water

Sub-section: Rules

Provision:

ASW-R3	Structures	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
Surface of all rivers and lakes in all zones			
	Where:		

PER-1

The structure is associated with a river crossing, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.

Sentiment: Support in Part

Submission:

Use the term 'reservoirs' in PER-1 as a way to catch future potential reservoirs instead of listing Waingaro and Manuwai reservoirs in particular.

S368.064

Relief sought

ASW-R3	Structures	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
Surface of all rivers and lakes in all zones			
	Where:		

PER-1

The structure is associated with a river crossing, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on ~~Waingaro and Manuwai~~ reservoirs.

Point .

Section: Heavy industrial

Sub-section: Policies

Provision:

HIZ-P3 Avoid the establishment of activities that do not support the function of the Heavy Industrial zone, including:

- a. residential activities;
- b. retirement villages;
- c. education facilities;
- d. recreational activities; and
- e. commercial activities not ancillary to the on-site heavy industrial use.

Sentiment: Support in Part

Submission:

Inconsistent use of terminology in the PDP for sport and recreational activities

Relief sought S368.065

HIZ-P3 Avoid the establishment of activities that do not support the function of the Heavy Industrial zone, including:

- a. residential activities;
- b. retirement villages;
- c. education facilities;
- d. sport and recreational activities; and
- e. commercial activities not ancillary to the on-site heavy industrial use.

Point .

Section: General

Sentiment: Support in Part

Submission:

The 'New buildings or structures, and extensions or alterations to existing buildings or structures' rule in each zone needs to be amended to include activities that are permitted, controlled and restricted discretionary, where applicable within the zone. As currently drafted a breach of this rule makes the activity 'discretionary', which was not the intent if the activity itself is permitted, controlled or restricted discretionary...the standards in PER-2 should apply.

Relief sought S368.066, S368.067, S368.068, S368.069, S368.070, S368.071, S368.072, S368.073, S368.074, S368.075, S368.076, S368.077, S368.078, S368.079

"...New buildings or structures, and extensions or alterations to existing buildings or structures

Activity status: Permitted

Where:

PER-1

The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted (where applicable, words to the effect...'or controlled, or restricted discretionary') activity..."

Point .

Section: General

Sentiment: Support in Part

Submission:

The 'Residential activity' rule in zones that provide for a minor residential unit need to provide an exclusion for a 'minor residential unit'. The intent of the rule is to provide for a minor residential unit in addition to a principal residential unit on a site, it is not meant to be captured by PER-1 within

the rule.

Relief sought S368.080, S368.081, S368.082, S368.083

Make the following amendments (the area² will be relative to the zone) to the 'Residential activity' rule within the Rural Production zone, Rural Lifestyle zone, Rural Residential zone and the Settlement zone in the PDP.

PER-1

The site area per residential unit is at least xxxm².

PER-1 does not apply to:

- i. a single residential unit located on a site less than xxxm².
- ii. A minor residential unit constructed in accordance with rule Rxx-Rxx.

Point .

Section: Earthworks

Sub-section: Standards

Provision:

EW-S6 **Setback**

All zones Earthworks must be setback by the following minimum distances:

- i. earthworks supported by engineered retaining walls - 1.5m from a site boundary;
- ii. earthworks not supported by engineered retaining walls - 3m from a site boundary;
- iii. earthworks must be setback by a minimum distance of 10m from coastal marine area.

Note: setbacks from waterbodies is managed by the Natural Character chapter.

Where the standard is not met, matters of discretion are restricted to:

- a. the location, scale and volume;
- b. depth and height of cut and fill;
- c. the nature of filling material and whether it is compacted;
- d. the extent of exposed surfaces or stockpiling of fill;
- e. erosion, dust and sediment controls;
- f. stormwater controls;
- g. the stability of land, buildings and infrastructure;
- h. the life-supporting capacity of soils;
- i. temporary or permanent nature of any adverse effect;
- j. traffic and noise effects
- k. time of year earthworks will be carried out and duration of the activity;
- l. natural character, landscape, historic heritage, spiritual and cultural values; and
- m. impact on visual and amenity values.

Sentiment: Support in Part

Submission:

This standard does not exclude the forming of an approved driveway or crossing from a legal road or the installation and upgrading of utility connections and infrastructure. It is not the intention of this standard to require consent for these activities.

Relief sought S368.084

EW-S6 **Setback**

All zones Earthworks must be setback by the following minimum distances:

- i. earthworks supported by engineered retaining walls - 1.5m from a site boundary;
- ii. earthworks not supported by engineered retaining walls - 3m from a site boundary;
- iii. earthworks must be setback by a minimum distance of 10m from coastal marine area.

This standard does not apply to a legal road boundary where:

Where the standard is not met, matters of discretion are restricted to:

- a. the location, scale and volume;
- b. depth and height of cut and fill;
- c. the nature of filling material and whether it is compacted;
- d. the extent of exposed surfaces or stockpiling of fill;

- i. The earthworks are for the formation of an approved driveway or crossing.
- ii. The earthworks are for the the installation and upgrading of utility connections and infrastructure.

Note: setbacks from waterbodies is managed by the Natural Character chapter.

- e. erosion, dust and sediment controls;
- f. stormwater controls;
- g. the stability of land, buildings and infrastructure;
- h. the life-supporting capacity of soils;
- i. temporary or permanent nature of any adverse effect;
- j. traffic and noise effects
- k. time of year earthworks will be carried out and duration of the activity;
- l. natural character, landscape, historic heritage, spiritual and cultural values; and
- m. impact on visual and amenity values.

Point .

Section: Definitions

Sentiment: Support in Part

Submission:

Community Sign (Community signs) is not defined in the PDP, as such it is unclear what it means. A definition will assist plan usability.

Relief sought **S368.085**

New definition 'Community sign' means:

'sign for the purposes of promoting any forthcoming event, community organisation and providing community information without advertising for other goods or services'

Point .

Section: Subdivision

Sub-section: Standards

Provision:

SUB-S7 Easements for any purpose

All zones

Easements shall be provided where necessary for:

1. public works and utility services;
2. easements in gross where a service or access is required by the Council;
3. easements in favour of nominated allotments or adjoining Certificates of Title;
4. Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement of services. Centre line easements shall apply when the line is privately owned; and
5. The need for easements for any of the following purposes:
 - i. accessways, whether shared or not;
 - ii. stormwater, wastewater disposal, water supply, utilities;
 - iii. party walls and floor/ceilings;
 - iv. other utilities.

Matters of discretion are restricted to:

- a. whether the easement is located appropriately for its purpose and users.

Sentiment: Support in Part

Submission:

"(4) Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement of services. Centre line easements shall apply when the line is privately owned; and"

The last sentence is unclear as to purpose and definition and is not considered necessary for the purpose of applying this rule. Recommend removing 'Centre line easements shall apply when the line is privately owned'

Relief sought **S368.086**

SUB-S7 Easements for any purpose

All zones Easements shall be provided where necessary for:

1. public works and utility services;
2. easements in gross where a service or access is required by the Council;
3. easements in favour of nominated allotments or adjoining Certificates of Title;
4. Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement of services. ~~Centre line easements shall apply when the line is privately owned;~~ and
5. The need for easements for any of the following purposes:
 - i. accessways, whether shared or not;
 - ii. stormwater, wastewater disposal, water supply, utilities;
 - iii. party walls and floor/ceilings;
 - iv. other utilities.

Matters of discretion are restricted to:

- a. whether the easement is located appropriately for its purpose and users.

Point .

Section: Subdivision

Sub-section: Standards

Provision:

SUB-S3 Water supply

All zones

1. All new allotments shall have the ability to connect to a safe potable water supply with a capacity that is adequate for the anticipated potential land uses;
2. Where a connection to Council's reticulated water supply systems is available, all allotments must connect;
3. Where a connection to Council's reticulated water systems is not available all allotments must provide a water supply system;
4. All new allotments must have access to sufficient water supplies for fire fighting consistent with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Matters of discretion are restricted to:

- a. adequacy of the supply of water to every allotment, and its suitability for the likely land use;
- b. adequacy of water supplies, and access for fire fighting purposes; and
- c. the standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision.

Note: This standard does not apply where the allotment is for a road, or for access purposes, or for a purpose or activity for which water supply is not necessary.

Sentiment: Support in Part

Submission:

"(3) Where a connection to Council's reticulated water systems is not available all allotments must provide a water supply system;"

If a subdivision is not able to connect to a reticulated water system, the way the rule is currently drafted it could be interpreted as requiring that there be a system installed or be provided as a condition of consent (i.e s224(c)) prior to issue of any new title. The intention is that at subdivision it shall be demonstrated that a water supply system can be provided. Redraft more aligned with the standard for wastewater SUB-S5 (2)

Relief sought **S368.087**

SUB-S3 Water supply

All zones

1. All new allotments shall have the ability to connect to a safe potable water supply with a capacity that is adequate for the anticipated potential land uses;

Matters of discretion are restricted to:

2. Where a connection to Council's reticulated water supply systems is available, all allotments must connect;
3. Where a connection to Council's reticulated water systems is not available all allotments shall be provided with a means to must provide a water supply system;
4. All new allotments must have access to sufficient water supplies for fire fighting consistent with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

- a. adequacy of the supply of water to every allotment, and its suitability for the likely land use;
- b. adequacy of water supplies, and access for fire fighting purposes; and
- c. the standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision.

Note: This standard does not apply where the allotment is for a road, or for access purposes, or for a purpose or activity for which water supply is not necessary.

Point .

Section: Subdivision

Sub-section: Policies

Provision:

SUB-P1 Enable boundary adjustments that:

- a. do not alter:
 - i. the degree of non compliance with District Plan rules and standards;
 - ii. the number and location of any access; and
 - iii. the number of certificates of title; and
- b. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

Sentiment: Support in Part

Submission:

Drafting error. There is a potential conflict in the policy for boundary adjustments where one or more lots being adjusted is not able to comply with the minimum lot sizes in a zone, and will still not achieve them after the proposed boundary adjustment. A the boundary adjustment cannot achieve (b) due to not complying with the zone minimum lot size. b. It therefore needs to be deleted.

Relief sought

S368.088

SUB-P1 Enable boundary adjustments that:

- a. do not alter:
 - i. the degree of non compliance with District Plan rules and standards;
 - ii. the number and location of any access; and
 - iii. the number of certificates of title; ~~and~~
- b. ~~are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.~~

Point .

Section: General

Sentiment: Support in Part

Submission:

The National Policy Statement for Highly Productive Land (NPS-HPL) has been released through the submission period of the PDP. The PDP uses that term, and the term 'versatile soils', in multiple chapters. To enable better integration and consistency with the NPS-HPL amendments should be made in the PDP where the terms Highly Productive Land and Versatile Soils are used.

Relief sought

S368.116

Make amendments, where necessary, in instances where the terms 'Highly Productive Land' and 'Versatile Soils' are used in the PDP, and make any other amendments necessary to give effect to the NPS-HPL.

Point .

Section: Ecosystems and indigenous biodiversity

Sub-section: Policies

Provision:

IB-P1 Identify Significant Natural Areas by:

- a. using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy Statement on indigenous biodiversity;
- b. including areas that meet the ecological significance criteria as Significant Natural Areas in Schedule 4 of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspection where practicable;
- c. encouraging landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;
- d. providing assistance to landowners to add Significant Natural Areas to Schedule 4 of the District Plan; and
- e. requiring an assessment of the ecological significance for indigenous vegetation clearance to establish permitted activity thresholds in Rule IB R2-R4.

Sentiment: Support in Part

Submission:

Minor drafting change to improve readability in e.

Relief sought **S368.089**

IB-P1 Identify Significant Natural Areas by:

- a. using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy Statement on indigenous biodiversity;
- b. including areas that meet the ecological significance criteria as Significant Natural Areas in Schedule 4 of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspection where practicable;
- c. encouraging landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;
- d. providing assistance to landowners to add Significant Natural Areas to Schedule 4 of the District Plan; and
- e. requiring an assessment of the ecological significance for indigenous vegetation clearance to establish compliance with the permitted activity thresholds in Rules IB-R2 to IB-R4.

Point .

Section: Earthworks

Sub-section: Policies

Provision:

EW-P3 Ensure earthworks are located and designed appropriately to manage the effects of the activity by:

- a. controlling maximum depth and height and maximum area or volume of earthworks;
- b. requiring appropriate setbacks are maintained from adjoining property boundaries, waterbodies and the coastal environment;
- c. managing the location and design of infrastructure;
- d. managing impacts on natural drainage patterns and overland flow paths; and
- e. controlling the movement of dust and sediment beyond the area of development to avoid:
 - i. nuisance effects and/or amenity effects on surrounding sites, or
 - ii. silt and sediment entering stormwater systems or waterbodies and the coastal marine area.

Sentiment: Support in Part

Submission:

drafting error, use of "or" in e. incorrect, should be "and"

Relief sought **S368.090**

- EW-P3 Ensure earthworks are located and designed appropriately to manage the effects of the activity by:
- a. controlling maximum depth and height and maximum area or volume of earthworks;
 - b. requiring appropriate setbacks are maintained from adjoining property boundaries, waterbodies and the coastal environment;
 - c. managing the location and design of infrastructure;
 - d. managing impacts on natural drainage patterns and overland flow paths; and
 - e. controlling the movement of dust and sediment beyond the area of development to avoid:
 - i. nuisance effects and/or amenity effects on surrounding sites, ~~and of~~
 - ii. silt and sediment entering stormwater systems or waterbodies and the coastal marine area.
-

Point .

Section: Subdivision

Sub-section: Standards

Provision:

SUB-S8 Esplanades

All zones Any subdivision involving the creation of one or more allotments less than 4ha which adjoins: **Activity status when compliance is not achieved: Discretionary**

1. The line of MHWS;
2. The bank of a river whose bed has an average width of 3m or more; and
3. A lake that is larger than 8 ha in size.

An esplanade reserve must be provided with a minimum width of 20m, in accordance with section 230 of the RMA.

Sentiment: Support in Part

Submission:

drafting error. Omission of esplanade strip within the rule, needs to be included

Relief sought **S368.091**

SUB-S8 Esplanades

All zones Any subdivision involving the creation of one or more allotments less than 4ha which adjoins: **Activity status when compliance is not achieved: Discretionary**

1. The line of MHWS;
2. The bank of a river whose bed has an average width of 3m or more; and
3. A lake that is larger than 8 ha in size.

An esplanade reserve or esplanade strip must be provided with a minimum width of 20m, in accordance with section 230 of the RMA.

Point .

Section: Mixed use

Sub-section: Objectives

Provision:

MUZ-O3 Enable land use and subdivision in the Light Industrial zone where there is adequacy and capacity of available or programmed development infrastructure to support it.

Sentiment: Support in Part

Submission:

Drafting error. Should be referencing the Mixed Use zone not the Light Industrial zone, needs to be changed

S368.092

Relief sought

MUZ-O3 Enable land use and subdivision in the ~~Light Industrial~~ **Mixed use** Light Industrial zone where there is adequacy and capacity of available or programmed development infrastructure to support it.

Point .

Section: Mixed use

Sub-section: Rules

Provision:

MUZ-R5 Residential unit

Mixed Use zone Activity status: Permitted

Activity status where compliance not achieved with PER-2: Restricted discretionary

Where:

Matters of discretion are restricted to:

PER-1

The residential unit is located above the ground floor level of a building unless it existed at 27 July 2022.

a. the matters of discretion of the infringed standard.

PER-2

Residential units established after 27 July 2022 comply with standard:

Activity status where compliance not achieved with PER-1: Discretionary

NOISE-S5 Noise insulation.

Sentiment: Support in Part

Submission: S368.093

Inconsistent wording, should read the same as MUZ-R3

Relief sought

MUZ-R5 Residential unit

Mixed Use zone Activity status: Permitted

Activity status where compliance not achieved with PER-2: Restricted discretionary

Where:

Matters of discretion are restricted to:

PER-1

The residential unit is located above the ground floor level of a building unless it existed at 27 July 2022.

a. the matters of discretion of the infringed standard.

PER-2

Activity status where compliance not achieved with PER-1: Discretionary

~~The residential units established after 27 July 2022 comply with standard:~~

NOISE-S5 Noise insulation.

Point .

Section: Mixed use

Sub-section: Standards

Provision:

MUZ-S5 Pedestrian frontages

Mixed Use zone For sites with pedestrian frontage identified on the planning maps:

1. At least 65% of the building frontage at ground floor must be clear glazing; and
2. The principal public entrance to the building must be located on the front boundary.

Where the standard is not met, matters of discretion are restricted to:

- a. the character and amenity of the streetscape; and
- b. the ability to reuse and adapt the building for a variety of activities.

Sentiment: Support in Part

Submission: **S368.094**

Drafting change to improve readability and understanding

Relief sought

MUZ-S5 Pedestrian frontages

Mixed Use zone For sites with pedestrian frontage identified on the planning maps:

1. At least 65% of the building frontage at ground floor must be clear glazing; and
2. The principal public entrance to the building must be located on the ~~road front~~ boundary.

Where the standard is not met, matters of discretion are restricted to:

- a. the character and amenity of the streetscape; and
 - b. the ability to reuse and adapt the building for a variety of activities.
-

Point .

Section: Mixed use

Sub-section: Standards

Provision:

MUZ-S9 Landscaping for sites that adjoin any sites other than mixed use or industrial

Mixed Use zone Side boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial must

1. be fenced with a solid fence or wall with a minimum height of 1.8m; or
2. be landscaped with plants or trees with a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

Where the standard is not met, matters of discretion are restricted to:

- a. the outlook, character, and amenity of adjoining sites in a residential, rural, open space or Māori purpose zone;
- b. the scale of the building and its distance from the boundary with residential, rural, open space or Māori purpose zones;
- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no

screening.

Sentiment: Support in Part

Submission:

Typo, should be site not side

Relief sought S368.095

MUZ-S9 Landscaping for sites that adjoin any sites other than mixed use or industrial

Mixed Use zone Side Site boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial must:

1. be fenced with a solid fence or wall with a minimum height of 1.8m; or
2. be landscaped with plants or trees with a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

Where the standard is not met, matters of discretion are restricted to:

- a. the outlook, character, and amenity of adjoining sites in a residential, rural, open space or Māori purpose zone;
- b. the scale of the building and its distance from the boundary with residential, rural, open space or Māori purpose zones;
- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

Point .

Section: Light industrial

Sub-section: Standards

Provision:

LIZ-S7 Landscaping for sites that adjoin any sites other than mixed use or industrial

Light Industrial zone Side boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial zones must:

1. be fenced with a solid fence or wall of a minimum height of 1.8m; or
2. be landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

Where the standard is not met, matters of discretion are restricted to:

- a. the outlook, character, and amenity of adjoining sites in any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- b. the scale of the building and its distance from the boundary with any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

Sentiment: Support in Part

Submission:

Typo, should be site not side

Relief sought S368.096

LIZ-S7 Landscaping for sites that adjoin any sites other than mixed use or industrial

Light Industrial zone Side Site boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial zones must:

1. be fenced with a solid fence or wall of a minimum height of 1.8m; or
2. be landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

Where the standard is not met, matters of discretion are restricted to:

- a. the outlook, character, and amenity of adjoining sites in any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- b. the scale of the building and its distance from the boundary with any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;

- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

Point .

Section: Heavy industrial

Sub-section: Standards

Provision:

HIZ-S7 Landscaping for adjoining sites other than mixed use or industrial

Heavy industrial zone Side boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial zones must:

Where the standard is not met, matters of discretion are restricted to:

1. be fenced with a solid fence or wall of a minimum height of 1.8m; or
2. be landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

- a. the outlook, character, and amenity of adjoining sites in any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- b. the scale of the building and its distance from the boundary with any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

Sentiment: Support in Part

Submission:

Typo, should be site not side **S368.097**

Relief sought

HIZ-S7 Landscaping for adjoining sites other than mixed use or industrial

Heavy industrial zone ~~Side~~ Site boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial zones must:

Where the standard is not met, matters of discretion are restricted to:

1. be fenced with a solid fence or wall of a minimum height of 1.8m; or
2. be landscaped with plants or trees of a minimum height of 1m at installation which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or
3. be screened with a combination of (1) and (2) above.

- a. the outlook, character, and amenity of adjoining sites in any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- b. the scale of the building and its distance from the boundary with any zone other than Mixed Use, Light Industrial or Heavy Industrial zones;
- c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use

- of alternative methods; and
- d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.

Point .

Section: Subdivision

Sub-section: Rules

Provision:

SUB-R3 Subdivision of land to create a new allotment

Rural Production Activity status: Controlled

Activity status where compliance not achieved with CON- 1: Restricted Discretionary

Where:

Rural Lifestyle

CON-1

Matters of discretion are restricted to:

Rural Residential

1. The subdivision complies with standards:
 - SUB-S2 Requirements for building platforms for each allotment;
 - SUB-S3 Water supply;
 - SUB-S4 Stormwater management;
 - SUB-S5 Wastewater disposal;
 - SUB-S6 Telecommunications and power supply;
 - SUB-S7 Easements for any purpose;

- a. matters of any infringed standard; and
- b. any relevant matters of control.

General Residential zone

Activity status where compliance not achieved with CON-2: Discretionary

Where:

Kororāreka

CON-2

Russell Township zone

1. The subdivision complies with standards:
 - SUB-S1 Minimum allotment sizes
 - SUB-S8 Esplanades

DIS-1

1. compliance with SUB-S1 Minimum allotment sizes - controlled activity is not achieved, but discretionary activity achieved

Settlement zone

Matters of control are limited to:

Activity status where compliance not achieved with DIS-1:Non-complying

Mixed Use zone

- a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses;
- b. the provision of easements or registration of an instrument for the purpose of public access and reserves;
- c. the effects of development phase works on the surrounding area;
- d. extent of potential effects on sites and areas of significance to Māori, ancestral lands, water, site, wāhi tapu and other taonga;
- e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists;
- f. natural hazards or geotechnical constraints;
- g. where relevant compliance with Far North District Council Engineering Standards April 2022;and
- h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray.

Light Industrial zone

Heavy Industrial zone

Horticulture zone

Horticulture

Processing zone

NOTE:

If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.

Hospital zone

Orongo Bay zone

Activity status: Controlled

Activity status where compliance not achieved with CON-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

CON-1:

1. The subdivision complies with standards:
 - SUB-S3 Water supply;
 - SUB-S4 Stormwater management;
 - SUB-S5 Wastewater disposal;
 - SUB-S6 Telecommunications and power supply;
 - SUB-S7 Easements for any purpose.

- a. matters of any infringed standard; and
- b. any relevant matters of control in SUB-R3.

Activity status where compliance not achieved with CON-2: Discretionary

CON-2

1. The subdivision complies with standard:

SUB-S8 Esplanades

Activity status where compliance not achieved with CON-3: Non-complying

CON-3

1. The subdivision complies with the following table:

Orongo Bay zone	<ol style="list-style-type: none"> 1. the minimum lot sizes are: <ul style="list-style-type: none"> • 3,000m² (onsite sewerage disposal); • 1,000m² (reticulated sewerage disposal); 2. the subdivision is part of an approved Comprehensive Development Plan; 3. Maximum number of separate titles created shall not exceed seven.
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Matters of control are limited to:

- a. Matters on control in SUB-R3.

Carrington

Activity status: Controlled

Activity status where compliance not achieved with

Estate zone

CON-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

CON-1:

1. The subdivision complies with standards:
SUB-S3 Water supply;
SUB-S4 Stormwater management;
SUB-S5 Wastewater disposal;
SUB-S6 Telecommunications and power supply; and
SUB-S7 Easements for any purpose.

- a. matters of any infringed standard; and
- b. any relevant matters of control in SUB-R3.

Activity status where compliance not achieved with CON-2: Discretionary

CON-2

1. The subdivision complies with standard:
SUB-S8 Esplanades

Activity status where compliance not achieved with CON-3: Non-complying

CON-3:

1. The subdivision is a Unit title subdivision of the accommodation units and lodge/golf club complex, as identified in the Carrington Estate Development Plan.

Matters of control are limited to:

- a. Matters on control in SUB-R3

Kauri Cliffs zone

Activity status: Restricted Discretionary

Activity status where compliance not achieved with RDIS-1: Discretionary

Where:

RDIS-1:

1. The subdivision complies with standards:
SUB-S3 Water supply;
SUB-S4 Stormwater management;
SUB-S5 Wastewater disposal;
SUB-S6 Telecommunications and power supply;
SUB-S7 Easements for any purpose; and
SUB-S8 Esplanades.

Activity status where compliance not achieved with RDIS-2:

Discretionary

RDIS-2:

1. Subdivision of up to 60 new lots for residential (golf living) purposes, provided that:
 - i. no lot is less than 4,000m² in area;
 - ii. on-site treatment and disposal of wastewater is provided for; and
 - iii. the building footprints are specified on an approved plan of subdivision.

Matters of discretion are restricted to:

- a. matters of control in SUB-R3;
- b. the extent to which the activity may impact adversely on the

- unique character of the Kauri Cliffs Zone;
- c. the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and
- d. the effect on adjoining activities.

NOTE: Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained.

Māori Purpose zone **Activity status: Discretionary** **Activity status where compliance not achieved: Not applicable**

Ngawha Innovation and Enterprise Park

Open space zones **Activity status: Non-complying** **Activity status where compliance not achieved: Not applicable**

Motorua Island zone

Quail Ridge zone

Airport zone

Sentiment: Support in Part

Submission:

Plan drafting improvement. It currently is not clear that SUB-R3 does not apply to multiunit development. Multi-unit development is addressed in SUB-R5. Add text to the heading for clarification.

Relief sought **S368.098**
SUB-R3 **Subdivision of land to create a new allotment (excluding multi-unit development)**

Rural Production **Activity status: Controlled** **Activity status where compliance not achieved with CON- 1: Restricted Discretionary**

Rural Lifestyle **Where:**

Rural Residential **CON-1** **Matters of discretion are restricted to:**

1. The subdivision complies with standards:
 - SUB-S2 Requirements for building platforms for each allotment;
 - SUB-S3 Water supply;
 - SUB-S4 Stormwater management;
 - SUB-S5 Wastewater disposal;
 - SUB-S6 Telecommunications and power supply;
- a. matters of any infringed standard; and
 b. any relevant matters of control.

General Residential zone **Activity status where compliance not achieved with CON-2: Discretionary**

SUB-S7 Easements for any purpose;

Where:

Kororāreka

CON-2

Russell
Township
zone

1. The subdivision complies with standards:

DIS-1

SUB-S1 Minimum allotment sizes

1. compliance with SUB-S1 Minimum allotment sizes -
controlled activity is not achieved, but discretionary
activity achieved

SUB-S8 Esplanades

Settlement
zone

Matters of control are limited to:

Activity status where compliance not achieved with
DIS-1:Non-complying

Mixed Use
zone

- a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses;
- b. the provision of easements or registration of an instrument for the purpose of public access and reserves;
- c. the effects of development phase works on the surrounding area;
- d. extent of potential effects on sites and areas of significance to Māori, ancestral lands, water, site, wāhi tapu and other taonga;
- e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists;
- f. natural hazards or geotechnical constraints;
- g. where relevant compliance with Far North District Council Engineering Standards April 2022;and
- h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray.

Light Industrial
zone

Heavy
Industrial zone

Horticulture
zone

Horticulture
Processing
zone

NOTE:

Hospital zone

If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.

Orongo Bay
zone

Activity status: Controlled

Activity status where compliance not achieved with
CON-1: Restricted Discretionary

Where:

Matters of discretion are restricted to:

CON-1:

1. The subdivision complies with standards:
SUB-S3 Water supply;
SUB-S4 Stormwater management;
SUB-S5 Wastewater disposal;
SUB-S6 Telecommunications and power supply;

- a. matters of any infringed standard; and
- b. any relevant matters of control in SUB-R3.

Activity status where compliance not achieved with

SUB-S7 Easements for any purpose.

CON-2: Discretionary

CON-2

1. The subdivision complies with standard:

**Activity status where compliance not achieved with
CON-3: Non-complying**

SUB-S8 Esplanades

CON-3

1. The subdivision complies with the following table:

Orongo Bay zone

1. the minimum lot sizes are:
 - 3,000m² (onsite sewerage disposal);
 - 1,000m² (reticulated sewerage disposal);
2. the subdivision is part of an approved Comprehensive Development Plan;
3. Maximum number of separate titles created shall not exceed seven.

Matters of control are limited to:

- a. Matters on control in SUB-R3.

**Carrington
Estate zone**

Activity status: Controlled

**Activity status where compliance not achieved with
CON-1: Restricted Discretionary**

Where:

Matters of discretion are restricted to:

CON-1:

1. The subdivision complies with standards:
SUB-S3 Water supply;
SUB-S4 Stormwater management;
SUB-S5 Wastewater disposal;
SUB-S6 Telecommunications and power supply; and
SUB-S7 Easements for any purpose.

- a. matters of any infringed standard; and
- b. any relevant matters of control in SUB-R3.

**Activity status where compliance not achieved with
CON-2: Discretionary**

CON-2

1. The subdivision complies with standard:

SUB-S8 Esplanades

**Activity status where compliance not achieved with
CON-3: Non-complying**

CON-3:

1. The subdivision is a Unit title subdivision of the accommodation units and lodge/golf club complex, as identified in the Carrington Estate Development Plan.

Matters of control are limited to:

- a. Matters on control in SUB-R3

Kauri Cliffs zone

Activity status: Restricted Discretionary

Activity status where compliance not achieved with RDIS-1: Discretionary

Where:

RDIS-1:

1. The subdivision complies with standards:
 - SUB-S3 Water supply;
 - SUB-S4 Stormwater management;
 - SUB-S5 Wastewater disposal;
 - SUB-S6 Telecommunications and power supply;
 - SUB-S7 Easements for any purpose;and
 - SUB-S8 Esplanades.

Activity status where compliance not achieved with RDIS-2:

Discretionary

RDIS-2:

1. Subdivision of up to 60 new lots for residential (golf living) purposes, provided that:
 - i. no lot is less than 4,000m² in area;
 - ii. on-site treatment and disposal of wastewater is provided for; and
 - iii. the building footprints are specified on an approved plan of subdivision.

Matters of discretion are restricted to:

- a. matters of control in SUB-R3;
- b. the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone;
- c. the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and
- d. the effect on adjoining activities.

NOTE: Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained.

Māori Purpose zone

Activity status: Discretionary

Activity status where compliance not achieved: Not applicable

Ngawha Innovation and Enterprise Park

Open space zones

Activity status: Non-complying

Activity status where compliance not achieved: Not applicable

Motorua Island zone

**Quail Ridge
zone**

Airport zone

Point .

Section: Planning Maps

Sentiment: Support in Part

Submission:

Error in mapping whereby operative Conservation zoning has not carried through into the PDP as Natural Open Space zone for parcel 4861315. This is one site Council is aware of, there are potentially others.

Relief sought **S368.099, S368.100**

Change the zoning of parcel 4861315 (Mataka Station) from Rural Production to Natural Open Space. Make any further changes to the PDP where and if the same issue arises.

Point .

Section: General

Sentiment: Support in Part

Submission:

The Far North District Engineering Standards April 2022 apply to all land development, including impermeable surfaces that comply with the permitted standards for impermeable surface coverage. The proposed new standard seeks to ensure that the plan users are aware of, and comply with the Far North District Engineering Standards April 2022. Any non-compliance will enable an assessment of the effectiveness of the proposed method for controlling stormwater on site through the resource consent process.

The rule will apply in all instances where there is an impermeable surface coverage rule in the PDP.

Relief sought **S368.101, S368.102, S368.103, S368.104, S368.105, S368.106, S368.107, S368.108, S368.109, S368.110, S368.111, S368.112, S368.113, S368.114**

Insert the following where there is an impermeable surface coverage rule in the PDP:

PER-2

Stormwater must be disposed of in accordance with Far North District Engineering Standards April 2022.

Point .

Section: Kororareka Russell Township

Sub-section: Policies

Provision:

KRT-P2 Require all subdivision in the Kororāreka Russell Township zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available; or
- c. copper where fibre is not available;

- d. local network power supply;
- e. wastewater; and
- f. portable water and stormwater where it is available.

Sentiment: Support in Part

Submission:

Drafting error: f. should say 'potable water' not 'portable water'. Needs to be changed

Relief sought **S368.115**

KRT-P2 Require all subdivision in the Kororāreka Russell Township zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available; or
- c. copper where fibre is not available;
- d. local network power supply;
- e. wastewater; and
- f. ~~portable~~ potable water and stormwater where it is available.

