

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

AND

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

SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN

To: Proposed District Plan

Strategic Planning and Policy, Far North District Council

Far North District Council

Private Bag 752

KAIKOHE 0400

Email: pdp@fndc.govt.nz

1. Details of persons making the submission

Musson Family Trust

Ref: 17271

C/- Reyburn and Bryant

Attention: Bjorn Larsen

PO Box 191

WHANGAREI

bjorn@reyburnandbryant.co.nz

2. General Statement

- 2.1 The Musson Family Trust (the submitter) cannot gain an advantage in trade competition through this submission. They are directly affected by the proposed plan change. The effects are not related to trade competition.

3. Background and context

The site

- 3.1 The submitter is the owner of a rural residential property located at 30 Houhora Heads Road, Pukenui. The subject site ('the site') is legally described as Lot 4 DP 530683 and is held in a single record of title referenced RT 864007.
- 3.2 The property comprises an area of 8,704m². The site is shown in [Figure 1](#) below:



Figure 1: Site location (Source: FNDC GIS)

- 3.3 The site is currently occupied by an existing legally established residential unit and shed. The buildings on the property are accessed from Houhora Heads Road via an existing formed vehicle crossing and private driveway.

Soil composition

- 3.4 The Regional Policy Statement for Northland (RPS) identifies that 'Highly Versatile' soils have Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1, 3s2, 3s4 - as mapped in the New Zealand Land Resource Inventory (NZLRIS).
- 3.5 The NZLRIS maps identify the site as not containing 'Highly Versatile' soils. This is because most of the property is classified as category 4w3, whilst a small part of the western portion of the site is classified 4s5. An extract from the NZLRIS soil type maps pertaining to the subject land is provided in [Figure 2](#) below:

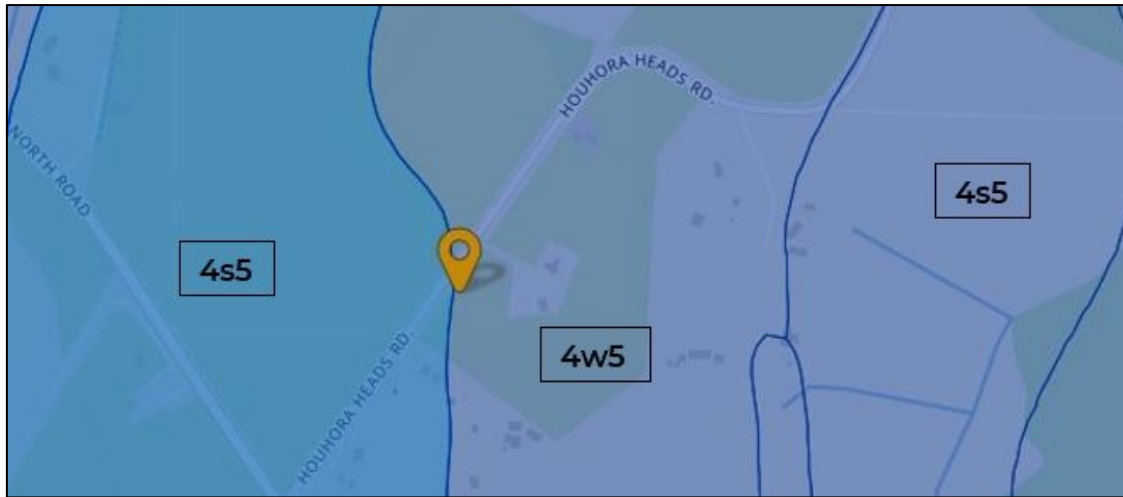


Figure 2: Soil Land Use Capability (Source: NZLRIS)

Operative and proposed District Plan zoning

3.6 The operative zoning that applies to the site is the 'Coastal Living Zone' (CLZ). The property is also identified as being partly Flood Susceptible under the Resource Areas of the Operative District Plan.

Proposed District Plan

3.7 As shown in Figure 3 below, the site and the surrounding cluster of rural residential lots concentrated around Houhora Heads Road is proposed to be rezoned 'Rural Lifestyle' (RLZ) under the Proposed Far North District Plan. The Flood Susceptible overlay remains unchanged.



Figure 3: Soil Land Use Capability (Source: NZLRIS)

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

4.1 The proposed District Plan mapping of the land subject to this submission.

5. The submitter seeks the following relief through this submission:

(1) That the new 'Settlement Zone' (RSZ) is extended to include the site and the surrounding rural residential properties concentrated around Houhora Heads Road (see [Figure 4](#) below)



Figure 4: Proposed extension of the Settlement Zone

(2) Any other relief necessary to achieve the outcomes sought in 5(1) above.

6. The reasons for submitting on the plan change are as follows:

6.1 Relative to the Operative District Plan provisions, the proposed RLZ will 'downzone' the site in terms of its development and subdivision potential. This is because the Operative District Plan provides for discretionary subdivision with a minimum lot size of 5,000m², whereas the subdivision provisions under the proposed RLZ increase the minimum lot size for discretionary activity subdivision to 2ha.

6.2 The vacant property (Lot 7 DP 204703) being rezoned RSZ to the north of the subject land is encumbered by wetlands (as defined under the NPSFW), therefore restricting the residential yield that could otherwise be achieved through subdivision of this site. Therefore, rezoning the subject land RSZ will provide for the residential yield lost as a result of the development restriction posed by the wetlands on Lot 7 DP 204703.

6.3 As indicated in Figure 2 above, the site is not identified as containing highly versatile soils. Accordingly, highly productive land will not be comprised by further subdivision under the RSZ provisions.

6.4 The subject land is already developed at a residential density and pattern of development that exceeds the density provisions of the proposed RLZ.

6.5 There is a high demand for housing in the area, particularly for workers employed by the growing number of orchards throughout the region. The subject land is favourably located in close proximity to existing orchards.

6.6 Having considered the requirements of Section 32 of the RMA, the Settlement Zone is the most efficient and effective means of achieving Part 2 of the RMA.

7. The submitter wishes the Far North District Council's decision to address the above issues by:

(1) Extending the RSZ (proposed for the properties north of the subject land) to include the site **S404.001** and surrounding properties (as shown in Figure 4); or

(2) Alternative relief with similar effect.

8. The submitter wishes to be heard in support of their submission at a hearing.



Bjorn Larsen,
Planning Consultant

On behalf of The Musson Family Trust

Dated this 21st of October 2022