

## Form 5

### Submission on notified proposal for policy statement or plan, change or variation

[Clause 6](#) of Schedule 1, Resource Management Act 1991

To Far North District Council

Name of submitter: Ian Jepson

This is a submission on the Proposed District Plan for the Far North District. (the **proposal**):

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

I am directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

#### **The specific provisions of the proposal that my submission relates to are:**

The identification of areas of High Natural Character (*HNC*), Outstanding Natural Landscapes (*ONLs*) and provisions relating to the Rural Production Zone and the Coastal Environment overlay.

#### **My submission is:**

The submitter owns land at Clendon Cove in the Bay of Islands. Much of the submitter's property is in the Rural Production Zone, and one site in his ownership, being Lot 3 DP 48494, is also subject to several overlays in terms of the proposed plan's provisions which the submitter considers are inappropriate and impose unduly restrictive controls on the reasonable use and development of the submitter's land.

Lot 3 DP 48494 has imposed upon it the HNC and ONL overlays. These overlays appear to have been painted with a rather 'broad brush' and do not reflect the state of the subject property as it currently is, which is that of a developed and modified human landscape containing dwellings, extensive lawns, outbuildings and roading. The majority of the site is devoid of any landscape qualities that could reasonably be described as having high natural character or comprise an outstanding natural landscape.

The area enjoys an attractive aesthetic, but due to the predominantly human landscape qualities exhibited by the specific property and environs, which include significant buildings and infrastructure as well as roading it cannot be considered to meet the high bar of having the values ascribed to it over the whole of the subject site.

The aerial photograph below shows the nature of the property. The imposition of controls intended to manage development in highly sensitive areas are inappropriate in this context and will make the reasonable use and development of the property unfairly and unnecessarily constrained.



The submitter seeks that the *HNC* and *ONL* notations be removed from this site such that the submitter can continue to develop his land in a manner consistent with its current use.

The extract from the planning maps of the Proposed Plan illustrates the site from which the submitter seeks to have the notations removed.

The balance of the submitter's land is subject to the coastal environment overlay.

As a corollary to the above, the submitter considers that the proposed standards that apply to activities located within the overlays identified above would limit the reasonable development of land within the overlay to an extent that is unnecessarily onerous and inconsistent with the purpose of the Act.

Further, the submitter considers that the activity status imposed on activities within the coastal environment are unnecessarily onerous. These include the identification of farming and forestry as discretionary activities, and imitations on the height, colour and reflectivity of buildings.

The submitter seeks the following decision from the local authority:



1. That the ONL and HNC overlays be removed from the land within the blue shaded area in the except from the planning maps above. S494.001  
S494.002
2. Without derogating from the above: S494.003  
S494.004  
S494.005
  - that provisions limiting the height, area and defining the colours and reflectivity of new buildings in ONLs be removed. S494.006
  - that all provisions in the plan that require activities located within an identified ONL to be assessed as non-complying activities be deleted. S494.007
  - that farming within the coastal environment and an HNC overlay be permitted. S494.008
3. With respect to controls over activities in the coastal environment overlay that: S494.009  
S494.010  
S494.011  
S494.012
  - the provisions within in the plan that impose limitations on the area, height and exterior finishes of new buildings located within the coastal environment overlay be deleted. S494.013
  - standards limiting the aerial extent and height of cut and fill of earthworks be deleted. S494.014
4. That the standard requiring buildings within the Rural Production Zone be set back 30 metres from MHWS be deleted.

**I wish to be heard in support of my submission.**

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Signature of submitter

Owen Burn as duly authorised agent for Ian Jepson

Date 20<sup>th</sup> October 2022

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