

4 September 2023

Far North District Council - Planning and Policy,
Via email: pdp@fndc.govt.nz



To whom it may concern,

Further Submission on Proposed Far North District Plan on behalf of Omata Estate (Submitter #548)

Please find attached a further submission made on behalf of Omata Estate – Submitter #548.

In their original submission, Omata Estate covered the specific aspects and provisions of the Proposed Far North District Plan as they relate to:


- a) The proposed zoning pattern for their land at 212 and 212B Aucks Road, Russell and the zoning pattern applied to land between the settlements of Okiato and Te Wahapu;
- b) The rules and standards relating to the construction of new buildings and structures within the Coastal Environment; and
- c) The special information requirements relating to hazards as contained within the Coastal Environment and Natural Hazard chapters of the Proposed District Plan.

Omata Estate have an interest in the Proposed District Plan that is greater than the public generally as the provisions of the Proposed District Plan and decisions sought by other submissions will have direct impacts for their land.

The key themes covered in this further submission relate to decisions sought by submitters in relation to general processes, the Coastal Environment provisions and a site-specific zoning request for land within the immediate vicinity of the submitter land. The further submission also identifies submission points in which Omata Estate seek to identify an interest in the decisions sought that may impact on future development or use of the Omata Estate land.

Attachment 1 is the Table setting out the further submissions.

Yours sincerely



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Attachments:

- 1) Further Submission Table

Omata Estate Further Submissions

Attachment 1: Further Submission Table on Proposed Far North District Plan - Omata Estate - 212 and 212B Aucks Road, Russell

Sub #	Sub Point	Submitter	Plan Section	Summary	Decision Requested	Support / Oppose	Omata Estate Further Submission and Decision Sought
Site or Area Specific Zoning Changes							
386	028	Sarah Ballantyne and Dean Agnew	Rural Lifestyle Zone	<p>As detailed in section 2.2.7 of the submission, Ballantyne & Agnew oppose the RPROZ of their site at 249 Aucks Road for the following reasons:</p> <ul style="list-style-type: none"> - Sites on the western and northern boundary are not zoned for the RPROZ and are more suitably zoned RSZ or RLZ; - The site contains soils classified LUC 6e 9, and fall outside of the definition of highly versatile; - The section 32 evaluation does not provide analysis or direction on how mapping decisions have been made; - RLZ has been applied to sites across the road, extending beyond the site by more than 300m. <p>This creates a mismatch in development expectations within the area, and it is considered that including the site in the RLZ will assist in making a defensible boundary for the settlement of Okiato.</p>	Rezone from Rural Production to Rural Lifestyle.	Support	<p>Support a consistent zoning reflective of the character of this area e.g Rural-Lifestyle along Aucks Road, Russell.</p> <p>Applying a consistent Rural Lifestyle zoning to the land between the settlements of Okiato and Te Wahapu would create a more practical zoning pattern with defensible boundaries. The Rural Lifestyle Zone would still enable farming activities to occur on the land as a permitted activity under Rule RLZ-R8.</p> <p style="text-align: center;">FS446.001</p>
General Process							
194	001	Thomson Survey Limited	General Process	Support the need to manage development within coastal hazard areas, I believe all hazard provisions should be located in the Natural Hazards chapter. A cross reference in the Coastal Environment back to the Natural Hazards chapter can be included.	Amend the location of the Coastal Hazard rules by transferring them along with the Standards out of the Coastal Environment chapter and into the Natural Hazards chapter. Insert a cross reference in the Coastal Environment chapter to this effect.	Support	<p>Support request to locate coastal hazard rules in Natural Hazards Chapter as this will achieve a clearer framework in the Plan.</p> <p style="text-align: center;">FS446.002</p>
222	001	Wendover Two Limited	General/Plan Content/Miscellaneous	As described in the National Planning Standard 2019, an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. It follows that the provisions relating to the overlay only apply to that part of a site so mapped. While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to 'the site'; the potential implication being that the overlay provisions apply to the site as a whole. While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to 'the site'; the potential implication being that the overlay provisions apply to the site as a whole. In addition to the above, the following part of the explanation is necessary to specify that overlay chapters do not contain all the provisions relating to an activity. For example, residential activity may not be provided for in the	Insert a new clause specifying that if an overlay is shown on the Planning Maps, the overlay provisions only apply to the portion of the property covered by the overlay.	Support	<p>Support. Overlays and their associated rules should apply only to the part of the site that is mapped. This is required to ensure a clear robust planning framework and so users of the Plan are clear as to which provisions apply to specific land areas.</p> <p style="text-align: center;">FS446.003</p>

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				overlay, but is provided for in the underlying zoning: "Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under other Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone)"			
359	004	Northland Regional Council	General/Plan Content/Miscellaneous	The National Policy Statement-Highly Productive Land will, and the National Policy Statement-Indigenous Biodiversity is likely to, take effect prior to the end of 2022 and the proposed plan will need to be reviewed in light of these new pieces of national direction.	Amend the plan to have regard to the National Policy Statement-Highly Productive Land and the National Policy Statement-Indigenous Biodiversity	Oppose	The Plan give effect to the NPS however separate planning processes are required as it could create natural justice issues attempting to retrofit this planning document to make the changes required by new NPS that have come into force since the Proposed Plan was prepared. FS446.004
359	009	Northland Regional Council	General/Plan Content/Miscellaneous	Recent updates from the Ministry for the Environment indicate that sea level is rising faster than anticipated. The Proposed Plan should therefore consider the potential for updating of NRC hazard maps and working with NRC to reflect new understanding of the issue.	Amend the planning maps to align with updated NRC hazard maps (inferred).	Oppose	Any mapping that has potentially greater impacts on property needs to be fully tested and a full analysis and planning process is required to determine the best methods to address updated information. A further hazards mapping plan change may be required to ensure a clear and consistent approach to hazard management throughout the region and Far North District. FS446.005
364	004	Director-General of Conservation (Department of Conservation)	General/Plan Content/Miscellaneous	There are no scheduled SNAs within Schedule 4 of the Proposed District Plan. The Director-General is strongly opposed to this decision, which is considered contrary to section 6(c) of the RMA, the objectives and policies of the Regional Policy Statement for Northland, and the NPSIB exposure draft. The Director-General is concerned that the current wording of the subdivision chapter will allow potential SNA sites to be subdivided with minimal ability to consider the adverse effects of the subdivision on indigenous biodiversity.	Amend all restricted discretionary activity and controlled activity rules to insert matters of discretion/control for indigenous biodiversity where appropriate and not already identified (inferred).	Oppose	Implementation of the NPS IB requires a thorough and robust planning process to ensure a clear and consistent direction is adopted throughout Northland and the Far North District. The current planning process (Proposed District Plan) is too far advanced. A separate plan change is required. FS446.006
364	005	Director-General of Conservation (Department of Conservation)	General/Plan Content/Miscellaneous	The s32 reports have identified that it is effective and efficient to align the PDP approach with the expected policy direction and requirements of the exposure draft of the National Policy Statement on Indigenous Biodiversity (NPSIB). The NPSIB is anticipated to come into effect during the PDP further submissions and hearing process. For this reason, the PDP should be	Amend the Plan to be consistent with the NPSIB exposure draft. Specifically, but not limited to: • Protect SNAs and identified taonga on Māori lands in line with clause 3.18 of the NPSIB exposure draft. • Include objectives, policies, or methods in the PDP for managing the adverse effects of new subdivision, use, and development on highly mobile fauna areas. • Incorporate NPSIB Appendices 3 and 4 or like principles into the PDP. Update proposed Policy IB-P4 to require that any biodiversity offset, or biodiversity compensation be in accordance with these	Oppose	Omata agrees that the Plan has to give effect to National Policy Statements however, as above, this plan process is too far advanced and to ensure there are no natural justice issues a separate plan change process is required. FS446.007

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				reviewed and updated to be consistent with the NPSIB exposure draft.	principles.		
364	007	Director-General of Conservation (Department of Conservation)	General/Plan Content/Miscellaneous	Kiwi conservation is particularly important in the Far North District context. Although it is noted that the North Island Kiwi is "Not Threatened", it has only reached this improved conservation status after significant community conservation efforts. These efforts should not go to waste and specific kiwi conservation objectives, policies, and rules should therefore be incorporated into the Proposed District Plan.	Insert framework into the District Plan to promote pet-free subdivisions in high-density kiwi areas.	Support in principle	Support in principle subject to appropriate wording. FS446.008
368	005	Far North District Council	Ecosystems and Indigenous biodiversity	The PDP is required to give effect to any National Policy Statement for Indigenous Biodiversity.	Amend where necessary to give effect to the National Policy Statement for Indigenous Biodiversity.	Oppose	Omata agrees that the Plan has to give effect to National Policy Statements however, as above, this plan process is too far advanced and to ensure there are no natural justice issues a separate plan change process may be required.
429	001 002003	Kapiro Residents Association	General/Plan Content/Miscellaneous	Policies and rules relating to vegetation clearance are too permissive and do not provide sufficient protection for even the minimal maintenance of (a) indigenous vegetation and ecosystems, (b) kiwi and indigenous species classed as threatened or at risk (under the NZ Threat Classification System), (c) freshwater, and (d) other ecological, landscape, character and amenity values.	Decision sought: Revise the provisions in all relevant chapters to address elements such as- - Policies/rules to control any actual or potential effects of the use and development of land, or protection of land, for the purpose of the maintenance of indigenous biodiversity (under s31 of RMA) and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (RMA s6). - Policies/rules that will give better effect to biodiversity/ecosystem provisions in the Regional Policy Statement (which became operative from May 2016) and ensure that the district plan implements RPS Policy 4.4.1 (as required by RPS Method 4.4.3). - Adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA). - Adopt rules to control and place consent conditions on subdivision, land use or development in, or adjacent to, locations where indigenous species classed as threatened or at risk (under the NZTCS) are present. Additional specific provisions include - - Rules for banning potential predator pets (dogs, cats, mustelids, etc) from areas where kiwi or other at risk/threatened species are present and vulnerable to these predators (e.g. shore birds such as dotterel, wetland birds such as bittern and dabchick, at-risk lizards, and other animals). - Consent conditions should require fencing on the boundaries of public land, such as esplanade reserve, and around areas of wetlands and waterways. - Consent conditions for areas of significant vegetation/habitat etc. should set high standards of protection for indigenous vegetation, kiwi, at risk/threatened species and biodiversity, including appropriate types of fencing, predator control, protection and restoration of native vegetation, weed control, restrictions on planting exotic vegetation, etc. Covenants should be legally binding in perpetuity	Support in principle	Support in principle subject to appropriate wording. FS446.010 FS446.011 FS446.012

FS446.009

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					and should include provisions for monitoring implementation and enforcement. - Fencing needs to be appropriate for vulnerable species in the area, for example, fencing that allows free movement of kiwi; or in other cases fencing to stop dogs entering a kiwi area. - Signage to help protect kiwi and other vulnerable species, such as wetland species, shore birds. - Street lights for subdivisions/developments should be suitable for nocturnal wildlife, such as kiwi, and dark-sky-friendly (certified to minimise glare, reduce light trespass and protect the visibility of stars).		
449	001	Kapiro Conservation Trust	General / Plan Content / Miscellaneous	The PDP has several significant weaknesses that make it difficult to achieve the intended overall objectives. The rules/standard for permitted activities address limited matters, containing insufficient rules/standards relating to environmental values. The PDP frequently defaults to 'discretionary activity' status. This means the proposal should be considered by developers and council planners on the basis of PDP objectives and policies. However, many of the policies are written in vague terms that are open to wide interpretation. We are concerned that the PDP, as currently drafted, would support development in a form that undermines character, amenity values and other aspects of the environment that our communities value.	Amend PDP to: - provide clear criteria for assessing discretionary activities. - reduce the ambiguities in policies, the word 'avoid' should be applied more often, and other phrasing should be clarified and strengthened substantially. - incorporate additional rules to protect the environment and amenity values, and to address climate change issues relevant to the types of activities.	Support in principle	Support in principle subject to appropriate wording and mapping including robust assessment for determining the most appropriate activity status. FS446.013
Natural Hazards							
94	004	Lynley Newport	General	It is confusing when reading the Natural hazards chapter. At the end of the policies, one of which relates solely to Coastal Hazards (NH-P7), there is the statement that 'Coastal Hazard Rules are located in the Coastal Environment Chapter'. I am of the opinion that all natural hazard objectives, policies and rules should be in one place - in this instance the Natural Hazards Chapter.	Amend the Natural hazards chapter to transfer any provisions from the Coastal Environment section relating to hazards to the Natural Hazards chapter	Support	Support the change sought. FS446.014
93	013	Lynley Newport	Rules	Support the need to manage development within coastal hazard areas but believe all hazard provisions should be located in the Natural Hazards chapter. A cross reference in the Coastal Environment back to the Natural hazards chapter can be included.	Transfer the rules from the Coastal Environment chapter (rules section addressing coastal hazards) into the Natural Hazards chapter. Consequently, insert a cross reference within the Coastal Environment chapter to this effect.	Support	Support the change sought. FS446.015
333	009	P S Yates Family Trust	Notes	Note 2 to the rule applies the requirement for a report prepared by a suitably qualified and experienced engineer/instability assessment to activities and subdivision on the site as a whole, rather than just that part impacted by the identified natural hazard, imposing unnecessary cost. The amendments sought target the requirements just to the mapped hazard area.	Amend note 2 as follows 2. Any application for a land use resource consent in relation to a site location that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether the site any new site to be created includes an area of land susceptible to instability.	Support	Support the change sought to the extent that NH-S1 should only apply where activities or development is proposed within a specific mapped natural hazard area and where it is identified that the scale and nature of the proposal warrants a site-specific assessment. FS446.016
333	012	P S Yates Family	NH-S1	The information requirement applies the need for a	Amend Information Requirement NH-S1 as follows: Any application for a	Support	Support the change sought to the extent that

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		Trust		report prepared by a suitably qualified and experienced engineer/instability to activities and subdivision on the site as a whole, rather than just that part impacted by the identified natural hazard, imposing unnecessary cost. The amendments sought target the requirements just to the mapped hazard area location.	resource consent in relation to a site location that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion		NH-S1 should only apply where activities or development is proposed within a specific natural hazard area and where it is identified that the scale and nature of the proposal warrants a site-specific assessment. S446.017
561	044	Kāinga Ora Homes and Communities	NH-S1	The reference to "potentially affected" is not specific and the comment should clarify that this relates to the mapped hazard areas.	Amend NH-S1 as follows: Information requirements Any application for a resource consent in relation to a site that is potentially affected by the mapped natural hazards (as noted in the Plan definitions) must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Support in part	Support the decision sought to the extent that NH-S1 should only be triggered where a proposed activity is to occur within a portion of a site is affected by mapped natural hazard. Omata Estate seeks that the information requirements of NH-S1 solely apply to a resource consent application where an activity is proposed on land affected by a mapped natural hazard and it is determined by the consenting authority that the scale and nature of the activity warrants an engineering report.
Coastal Environment							
422	107	Kapiro Conservation Trust	Overview	It appears that the focus of the coastal environment chapter is on natural character, however a number of provisions refer broadly to the coastal environment and its values while others are specific to ONL and ONF. It is confusing that the policies cover both ONL and ONF but there are no rules that cover these features.	Amend wording to reflect that the section covers other characteristics and values of the Coastal Environment, e.g. ONLs & ONFs Make it abundantly clear in an explanation somewhere that rules covering ONL and ONFs in the coastal environment are covered in the ONF and ONL chapter.	Support in principle	Support subject to appropriate provisions. FS446.030
511	088	Royal Forest and Bird Protection Society of New Zealand	Overview	It appears that the focus of the coastal environment chapter is on natural character, however a number of provisions refer broadly to the coastal environment and its values while others are specific to ONL and ONF. It is confusing that the policies cover both ONL and ONF but there are no rules that cover these features.	Amend wording to reflect that the section covers other characteristics and values of the Coastal Environment, e.g. ONLs & ONFs Make it abundantly clear in an explanation somewhere that rules covering ONL and ONFs in the coastal environment are covered in the ONF and ONL chapter.	Support in principle	Support subject to appropriate provisions. FS446.019
187	058	The Shooting Box Limited	CE-01	Refer to submission for detailed reasons for decision(s) requested relating, but not limited to, the following: CE-01 lacks specificity as to the outcome sought for the coastal environment, and together with CE-02, fails to take into account the full scope of resources in the coastal environment and the range of existing and potential new sustainable land uses able to be supported in the coastal environment.	Delete Objectives CE-01 and CE-02 and replace with the following: Objective CE-01 Subdivision, use and development in the Coastal Environment: a. Enables people and their communities to provide for the social, economic, and cultural well-being and their health and safety; b. Maintains or restores the integrity, form, functioning and resilience of the Coastal Environment; and c. Protects the indigenous biodiversity values of the Coastal Environment in relation to the biodiversity values present; and d. Preserves the natural character of the Coastal Environment in relation to the level of natural character present; and e. Protects natural features and landscapes values of the Coastal Environment in relation to the level of natural feature and landscape values present; and f. Recognises and provides for the relationship of tāngata whenua with the	Support in principle	Support subject to appropriate wording to guide subdivision, use and development within the Coastal Environment to ensure the provisions enable the varying character of land within the coastal environment to be recognized. Many parts of the coastal environment have rural residential or urban characteristics. FS446.020

442.107

FS446.018

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					Coastal Environment; and g. Maintains and enhances public open space and recreation opportunities in the Coastal Environment; and h. Manages coastal hazard risks, including the long-term projected effects of climate change; and i. Protects and enhances historic heritage values; and j. Avoids sprawling or sporadic patterns of development and enabling consolidation of existing settlements. k. Where appropriate, promotes opportunities for restoration or rehabilitation of modified or degraded areas of natural character.		
344	018	Paihia Properties Holdings Corporate Trustee Limited and UP Management Limited	Rules	The default to discretionary activity for all activities within the HNCA is onerous and potential effects can be appropriately managed through a restricted discretionary activity status, with targeted matters of discretion, as opposed to a blanket discretionary status	Amend rules to default to restricted discretionary activity inside the high natural character area.	Support	Support subject to appropriate wording. Restricted Discretionary activity status is supported with clear and directive matters of discretion and related assessment criteria. FS446.021
344	043	Paihia Properties Holdings Corporate Trustee Limited and UP Management Limited	Rules	The submitter has identified that the overlay chapters are inconsistent with respect to referencing rules for "activities not otherwise listed". The How the Plan Works chapter includes a statement that some overlays will automatically default to a permitted activity. Noting that resource consent may still be required under other Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone). This lack of consistency will cause confusion for plan users: 1. The overlay chapters do not include notes to this effect. 2. Each overlay chapter has a different approach activity status default rules. 3. Overlays and zone chapters use different terminology. Applying an automatic permitted activity default could lead to unintentional consequences.	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.	Support	Support subject to appropriate wording. The default approach in the Plan needs to be clear and consistent. FS446.022
359	031	Northland Regional Council	Rules	There is potential for unintended consequences of the rules in the Coastal Environment as new fencing requires resource consent.	Amend the rules to expand the permitted activity rule to allow for fencing within natural character areas, ONLs and ONFs where fencing is required for protection or enhancement of soil conservation treatments, water bodies and wetlands and in line with the Stock Exclusion Regulations and/or regional plan rules.	Support in part	The rules should be further expanded to protect existing legitimate land use activities and to enable ongoing maintenance and replacement etc of existing rural land use structures such as fences and accessory buildings. FS446.023
159	073	Horticulture New Zealand	CE-R1	There needs to be provision for buildings for rural production activities in the Coastal environment given that farming is a permitted activity.	Amend subsection 2 of PER-2 of Rule CE-R1as follows: No greater than 25m ² 100m² except for artificial crop protection structure.	Support	Omata Estate support the decision sought to enable provision for artificial crop protection structures. The submitter operates a vineyard on the site. Artificial crop structures should be provided for as a permitted activity within the Coastal Environment. An alternative form of relief could be to amend CE-R4 to enable both

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							farming as an activity and structures / buildings associated with farming as a permitted activity in the Coastal Environment.
159	074	Horticulture New Zealand	CE-R1	There needs to be provision for buildings for rural production activities in the Coastal environment given that farming is a permitted activity.	Amend Rule CE-R1 to insert following: PER-5 Artificial crop protection structures located outside outstanding natural character areas where: • Dark green or black cloth shall be used on all vertical faces • Green or black cloth shall be used horizontally where the slope is over 10° • The structures shall be set back at least 50m from MHWS • No site coverage shall apply • The structures shall be setback 5m from the road boundary unless screened with natural shelter. Activity status where compliance is not achieved with PER-5 - Discretionary	Support in part	Support in part subject to the standards being appropriately flexible and suitable for all types of horticulture. FS446.025
167	074	Bentzen Farm Limited	CE-R1	The rule as proposed fails to recognise the existence of residential units in the coastal environment and the benefits that subdivision, use and development associated with residential units can bring in the coastal environment. Provision should be made for buildings not ancillary farming activities (including residential units). As drafted, the rule ignores that there are titles, including titles with approved building platforms, which have occurred through a subdivision process which has confirmed the suitability of a residential unit, but are as yet unbuilt on. That should be recognised as a matter of discretion, or in the preferred alternative, added as a controlled activity as also sought by this submission. Except for more than one dwelling per lot, notification should not be a consideration, as the restricted discretionary matters are limited in their scope and need not involve third party input.	Amend rule CE-R1 as follows: Activity status: Permitted Where: PER-1 If a new building or structure is located in an urban zone it is: 1. no greater than 300m2. 2. located outside high or outstanding natural character areas. 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. If not ancillary farming activities (including a residential unit) no greater than 25m2 50m2 . 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. Amend the activity status for non compliance with PER-1, PER-2 and PER-3 from discretionary and non-complying to restricted discretionary activity in each case. Insert the following restricted discretionary activity assessment matter: The effects on the characteristics, values and qualities of the coastal environment, including (but not limited to) consideration of the following matters where relevant to the application: a. the presence or absence of buildings, structures or infrastructure; b. the temporary or permanent nature of any adverse effects; c. the location, scale and design of any proposed development; d. any means of integrating the building, structure or activity; e. the ability of the environment to absorb change; f. the need for and location of earthworks or vegetation clearance; g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location; h. Except as provided for under n and o below, any viable alternative locations for the activity or development; i. any historical, spiritual or cultural association held by tangata whenua, with	Support in part	Support to the extent that the activity status for infringements to the permitted standards in CE-R1 should be restricted discretionary. Omata Estate considers that there should be further refinement as to the restricted discretionary matters of discretion and assessment criteria for consideration of restricted discretionary activities. Omata Estate also supports the decision sought to preclude public and limited notification for restricted discretionary activities unless there are special circumstances which warrant notification of the application. FS446.026

FS446.024

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					<p>regard to the matters set out in Policy TW -P6;</p> <p>j. the likelihood of the activity exacerbating natural hazards;</p> <p>k. the opportunity to enhance public access and recreation;</p> <p>l. the ability to improve the overall quality of coastal waters; and</p> <p>m. any positive contribution the development has on the characteristics and qualities.</p> <p>n. Whether locating the activity within the coastal environment is required to enable reasonable residential or farming use.</p> <p>o. Whether the location is on a previously approved building platform.</p> <p>Insert the following clause: New buildings or structures, and extensions or alterations to existing buildings or structures which do not comply with PER1, PER2, PER3 or PER4 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).</p>		
243	092	Matauri Trustee Limited	CE-S1	Maximum height 5 metres	The maximum height specified of 5m may or may not be appropriate in the circumstances and is best assessed and determined at resource consent stage for the building. The height limit of the zone would otherwise apply to smaller (less than 50m2 structures). The requirement to not exceed the height of the nearest ridgeline, headland or peninsula as a height limit lacks precision and measurability, with these factors better taken into account at resource consent stage.	Support in part	Support in part to the extent a greater height standard should be specified that enables a greater flexibility in architectural design e.g 6.5 or 7metres and any infringement should be assessed as a restricted discretionary activity. FS446.027
386	013	Sarah Ballantyne and Dean Agnew	CE-R1	<p>Ballantyne & Agnew consider that the 5m height limits imposed by CE-S1 Maximum Height to all new buildings and structures within urban zones is overly restrictive. In Ballantyne & Agnew's view these areas are locations where development is already concentrated, provided for by the PDP and are supported by infrastructure. In Ballantyne & Agnew's view, the built form (like farming) does form part of the values present in these areas. The PDP encourages and seeks to consolidate development into these areas, however the limitations on building footprints and height are considered to hinder development capacity in these locations should these design controls remain in place.</p> <p>With respect to new buildings outside of urban zones, while it is recognised that farming forms part of the established values of natural character of the CE, Ballantyne & Agnew consider it unnecessary to limit new buildings/structures in this way, given the introduction of any new built form will be the same or similar irrespective if the building is ancillary to farming or not. Further, it is considered that CE-R1 as proposed, does not adequately provide for the variable environments that exist within the District or</p>	<ul style="list-style-type: none"> - Amend CE-R1-PER-1 to delete clause (1) that relates to building footprint. - Amend CE-R1-PER-2 to delete clause (1). - Review the building footprint controls proposed in clause (2) and provide for appropriate building footprints that reflect the varied values of each zone environment. - Incorporate a restricted discretionary activity to CE-R1 with targeted matters of discretion to provide for activities that cannot comply with the permitted standards and are outside of HNC and ONC areas. 	Support	Support subject to appropriate wording. A restricted discretionary consenting pathway is more appropriate and will facilitate targeted matters of discretion and assessment criteria for consideration of proposed activities which do not comply with the permitted standards. FS446.028

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				appropriately respond to the underlying zone framework. Finally, the default activity status of 'Discretionary Activity' resource consenting pathway for activities outside of mapped ONC and HNC areas is considered overly onerous. Targeted matters of discretion would be more appropriate to manage effects.			
502	019	Northland Planning and Development 2020 Limited	CE-S2 Colours and Materials	Reference to the BS5252 standard colour range has been removed. Many coloursteel colours, which have an LRV of less than 30% are not listed within the BS5252 standard colour palette. This results in consent being required for a large number of sheds/garages, dwelling roofs, which are constructed of coloursteel materials and have an LRV of less than 30% but are not stated within the BS5252 standard colour palette range. The Resene BS5252 colour range was created in 2008 and is therefore very outdated. It also gives an unfair trade advantage to Resene where only their products can be utilised. It is considered that with the requirement of an LRV no greater than 30%, the intention of this rule will still be achieved, and will remove the need for consent for coloursteel products which have an LRV of less than 30% (as well as any other products which have the same issue). Furthermore, by deleting point 2, it enables natural wood products such as cedar to be utilised which are not painted or stained without requiring consent.	Amend CE-S2 The exterior surfaces of buildings or structures shall: 1. be constructed of materials and/or finished to achieve a light reflectance value no greater than 30%. 2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette or if not accepted 2. If painted have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette or equivalent product .	Support	Support the decision sought subject to appropriate wording. FS446.029